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Acts of the State of Tennessee.

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PUBLIC AND PRIVATE
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Fiftieth General Assembly

OF THE

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1897.

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DIFFERENCE BETWEEN ORIGINAL AND ENROLLED BILLS.

Page 15, line 21, after word "wares" the word "the" is in original, but not in enrolled bill.

Pages 45 and 46, Sec. 87 is ordered stricken out in original, but is inserted in enrolled bill.

Page 87, line 39, in original bill, after the word "following" the word "sum" appears, but is omitted from enrolled bill.

Page 99, the last ten lines are not in the original bill, but are in enrolled bill. They are a duplicate of the preceding seven lines.

Page 100, line 10, "House Joint Resolution, \$53.00," as appears in the enrolled bill, is House Joint Resolution No. 53 in the original.

Page 100, line 18, "\$7.25" appears in enrolled bill, while in the original it is "\$17.25."

Page 101, line 27, in original is "Senate Resolution, 12," with amount blank, while enrolled bill has it "House Resolution 12, \$30.00."

Page 101, line 37, in the original, after the word "clerk," appears the following: "To be expended under order of the Supreme Court," which is omitted from the enrolled bill.

Page 101, following line 38, the following appears in the original, but is omitted in the enrolled bill:

D. B. Cooper, Revenue Committee.....\$ 18 00

Ellis Day's witness fees before Penitentiary

Investigating Committee..... 7 70

Election Committee, Governor's contest,

overdrawn 8 55

Jake Young, services in DuBose impeach-

ment trial..... 193 30

Page 106, line 44, in the original the word "such" appears, instead of the word "said," as in the enrolled bill.

Page 119, Sec. 12, in the original, after the enacting clause, reads as follows: "That it shall be the duty of each and every railroad company, corporation, or individual owning, operating, or managing a railroad in this State to send to the Railroad Commission," etc., instead of the way it appears on the enrolled bill, and as printed.

Page 146, lines 34 and 35, the words "and more than five miles from such residence," are not in the original bill.

Page 148, line 3, after the word "tax," the original reads: "Which he may retain as compensation for his services, and which shall be in addition to any existing penalty." It is printed as enrolled.

Page 164, third line from bottom, the word "and" is not in original, though it is in the enrolled bill.

Page 170, fifth line of Sec. 2, the word "and" appears in enrolled bill instead of the word "or" in the original.

Page 173, line 3, the original has, after the word "keep," the words, "such animal or animals where," which are omitted from enrolled bill.

Page 213, eighth line from bottom, the original, after the word "act," contains these words: "Entitled an act"; the enrolled bill does not.

Page 214, line 22, the word "and" is omitted after the word "shows" in enrolled bill.

Page 271, in Chapter 116 the words "or subsequent" occur once in the caption and twice in the body of the act. No such words are in the original bill, though they are in the enrolled bill.

Page 275, third line, the word "the" is omitted after the word "into," as contained in the original bill.

ERRATA.

Page 8, line 22, after word "in" insert word "the."

Page 8, line 36 to be omitted.

Page 37, line 23, for "— county," read "county of
_____."

Page 49, line 4, for "1895" read "1885."

Page 62, line 7, insert word "room" after word "each."

Page 100, line 12, for "Caldwell, J. B.," read "Caldwell, T. B."

Page 104, line 44, for "fixed" read "filed."

Page 106, line 19, for "opened" read "open."

Page 119, line 13, for "require" read "give."

Page 140, line 42, for "recorded," read "records."

Page 144, line 14, for "ritual" read "ritualistic."

Page 145, lines 13 and 14, for "legislature" read "legislative."

Page 148, bottom line, for "appointees" read "appointed."

Page 150, line 16, before word "repealed," insert word "hereby."

Page 160, 8th line of Sec. 1, for "courts" read "court."

Page 163, line 36, for "amount" read "account."

Page 183, line 26, for "forfeiture" read "forfeited."

Page 199, line 3, for "or" read "by."

Page 203, 4th line from bottom, for "saving" read "savings."

Page 206, line 4, after word "as" insert word "now."

Page 217, line 4, for "roads district 1," read "road districts."

Page 231, Chapter 86, second line of caption, for "unlawful" read "wrongful."

Page 231, fifth line from bottom, for "will" read "shall."

Page 246, line 10, for "compilations" read "compilation."

Page 248, line 5, for "to do so" read "so to do."

Page 251, Chapter 103, last line of caption for "the" read "a."

Page 262, line 3, for "98" read "78."

Page 266, chapter 112, 2d line of caption, for "and so amend," read "and to amend."

Page 274, line 4, for "enterprises" read "corporations."

Page 284, line 10, insert word "the" between word "of" and "said."

Page 285, 4th line from bottom, for "unadjusted" read "unadopted."

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Laws of Tennessee.

1897.

ACTS

OF THE

STATE OF TENNESSEE

PASSED BY THE

Fiftieth General Assembly.

1897.

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1897.

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PUBLIC ACTS

OF THE

GENERAL ASSEMBLY

OF THE

State of Tennessee.

PASSED BY THE

FIFTIETH GENERAL ASSEMBLY,

Which was Begun and Held at the Capitol, in the City of Nashville,
on the first Monday in January, in the year of our Lord
One Thousand Eight Hundred and Ninety-seven.

CHAPTER 1.

[HOUSE BILL NO. 117.]

AN ACT to provide more just and equitable laws for the assessment and collection of revenue for State, county and municipal purposes, and to repeal all laws in conflict with the provisions of this Act whereby revenue is collected from the assessment of real estate, personal property, privileges and polls.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all property, real, personal and mixed, shall be assessed for taxation for State, county and municipal purposes, except such as is declared exempt in the next section.

Sec. 2. *Be it further enacted,* That the property here-^{Exemptions.} in enumerated, and none other, shall be exempt from taxation.

(1) All property of the United States, all property of the State of Tennessee, of any county of said State, or of any incorporated city or town in the State that is used exclusively for public or municipal corporation purposes.

(2) All property belonging to any religious or charitable institution, including church parsonages, and used exclusively for the purpose for which such institution was created, and including all school buildings and other property maintained by the public school fund of the State or private endowment.

(3) All cemeteries, places of burial used as such, and monuments of the dead.

(4) All roads, streets, alleys and promenades, where condemned, dedicated or thrown open for public travel or use free of charge.

(5) All growing crops of whatever nature or kind, the direct product of the soil of this State, in the hands of the producer, or his immediate vendee, and manufactured articles from the products of the soil of this State in the hands of the manufacturers.

(6) Personal property of the value of one thousand dollars, in the hands of each resident tax payer.

**Assessments,
how made.**

Sec. 3. *Be it further enacted,* That in order to provide revenue for State, county and municipal purposes, personal property, privileges, and polls shall be assessed annually, and real estate every four years, as hereinafter provided; the first assessment under this Act to be made in the year 1898, for real estate.

**Basis of asses-
ments.**

Sec. 4. *Be it further enacted,* That the basis of all assessments shall be as follows, to-wit:

(1) To assess the property to the person or persons owning or claiming to own the same on the tenth day of January of the year for which the assessment is made, if known; if not, to unknown owners.

(2) To assess real estate at its cash value, to be ascertained as hereinafter provided.

(3) To assess personal and mixed property at its cash valuation.

**Executors, ad-
ministrators,
etc.**

(4) To assess the property held by executors and administrators, in the county, district, or ward in which the decedent resided at the time of death, until such property shall have been distributed; but if the deceased lived in another State, then the property shall be assessed where the personal representative resides. To assess personal property held by trustees and guardians of minors, married women, and lunatics, to each guardian or trustee in the county, ward or district where such minor, married woman, or lunatic resides, if a resident of the State, and if a non-resident, then in the county, ward, or civil district in which the guardian or trustee resides.

**Stock in banks
etc.**

All stock in banks, or banking associations, loan companies, trust companies, insurance companies, investment companies, and all other corporations not assessable under sections 13 and 14 of this Act, shall be assessed in the place, town, or ward, or district in which such corporation is located, at its full market value; but in no instance shall the stock of any such corporation or association be assessed for less than its actual value. The

Street railr'ds.

property of street railroad companies, including their franchises, used within any town, city, or taxing district, where the office of the company is located outside of such incorporated city or town or taxing district, but the main line of the road is within the city, shall be taxed in the city, town or taxing district, as if the office were situated within the city limits.

(5) The property, including franchises, of all corporations and joint stock companies that lie wholly or mainly within any incorporated city, taxing district or town, or whose chief business is within any incorporated city, taxing district, or town, shall be assessed for taxation in such city, taxing district, or town;

Joint stock
companies,
etc.

Provided, That all realty shall be taxed where situated.

(6) That hereafter all mineral, timber or other interests in fee in real estate in this State, owned separate from the general freehold, shall be assessed to the owner thereof, separate from the other interests in such real estate, which other interests shall be assessed to the owner thereof, all of which shall be assessed as real estate.

Minerals and
timber.

Sec. 5. *Be it further enacted* That in assessing real estate, the following shall be shown:

Real estate,
description,
etc.

(1) The description of the property.

(2) The name of the owner or owners.

(3) The value of the land or town lots, including improvements.

(4) The value of mills, gins, manufactories, distilleries, breweries, foundries, and other buildings used for similar purposes.

Sec. 6. *Be it further enacted*, That in describing real estate, the following rules shall be observed:

The number of town lots (and blocks) of which the property is the whole or a part shall be given; the name of the street, avenue, alley or road on which it fronts, and the front feet thereof, shall be given, unless the size, dimensions and quantity can be more conveniently given in acres, then to be given in acres.

If the property is a part of any known sub-division, the number by which it is known on said sub-division, its size, dimensions, quantity and front feet or acres shall be given.

In describing tracts of land, when it can be done, the surveyor's district, range, township, section and sectional sub-division shall be designated, and the number of acres. The lands by which the described tract is bounded shall also be given in the assessment.

If this cannot be done that mode of description shall How identified

be adopted which will identify the property and its location; and when part of a known tract, sub-division, lot or block of land is assessed by a description which identifies it, any other part of it which is assessed, but not so identified, shall be held to embrace all of such tract, sub-division, lot or block not included in the part identified; but a failure to assess according to this Act shall not in any wise vitiate the assessment or sale of lands under the same; and parol testimony shall always be admissible to apply a description of land on the assessment roll, or in a conveyance for taxes where such testimony will show what land was assessed and sold, and there is enough in the description on the roll, or conveyance, to be applied to a particular tract, or parcel of land, by aid of such testimony.

**Personalty,
how assessed.**

Sec. 7. *Be it further enacted,* That personal property shall be assessed under the following heads:

(1) The actual stock in each bank or banking, insurance, or other stock company or corporation, invested in business.

(2) Stocks of merchandise, wares, goods, and chattels kept on hand or in store for sale, trade, or traffic; but the value of the same shall not be included in the tax values, and the assessor is hereby required to furnish a list of the same, showing the owners and value of said stock, to the county court clerk, which shall be recorded in a book kept for that purpose, as provided in section 22 of this Act.

(3) Merchandise, wares, goods and chattels sold at auction or on commission.

(4) Notes, duebills, negotiable paper, choses in action, and accounts upon solvent persons, or parties believed to be solvent, and all other assets, including cash on hand or on deposit, or invested in any manner in this State or elsewhere; but neither notes, duebills, cash on hand or on deposit, or invested in any manner, or negotiable paper and accounts on solvent persons, or persons believed to be solvent, nor cash, nor any other assets, which are part of the capital in the business of any merchant, manufacturer, commission merchant, or cotton factor, shall be assessed under this head, but shall be assessed as provided in section 22 of this Act.

**Enumeration
of taxables.**

(5) All bonds, stocks and other like securities, other than such as are exempt from taxation by the laws of the United States.

(6) Stallions, mares, geldings, jacks, jennets, mules, cattle, sheep and hogs, and all other stock to be assessed at actual cash value.

(7) Watches, plate, jewelry, pianos and household

and kitchen furniture.

(8) Carriages, buggies and all other wheeled vehicles of pleasure or profit.

(9) Machinery, engines, presses, looms, steamboats, ferryboats and tools, and implements of all pursuits and industry for gain or profit.

(10) All other personal property, whether belonging to individuals, corporations, or firms.

(11) The amount of income derived from United States bonds and all other stocks and bonds not taxed ad valorem.

Sec. 8. *Be it further enacted*, That no tax shall hereafter be assessed upon the capital stock of any bank or banking association, or loan, trust, insurance, or investment companies, or cemeteries, or any other corporation not assessable under sections 13 and 14 under this Act, organized under the authority of this State or of the United States; but the stockholders in such bank or banking, or other association, shall be assessed and taxed upon the market value of their shares of stock therein. Such shares of stock shall be included in the valuation of personal property of such stockholder in the assessment of the State, county and municipal taxes at the place, town or ward, or district where such bank or banking or other association is located, except as otherwise provided by law, whether said stockholder resides in said place, town, ward or district or not. In ascertaining the value of the shares of stock, the real estate owned by the corporation shall not be taken into consideration, but such real estate shall be assessed to the corporation, and the taxes paid by it; but all other property of the corporation shall be taken into consideration in fixing the value of the shares of stock.

Tax on capital
stock, how
assessed.

Sec. 9. *Be it further enacted*, That the president or business manager of any bank or banking association or other corporation included in the provisions of section 8 of this Act, doing business under the laws of this State, is hereby required to declare, upon oath, before the assessor, the amount of capital invested in such business; and each one hundred dollars' worth of such capital, for the purpose of this Act and for the purpose of taxation, shall be held and regarded as one individual share in such bank or banking association; and such shares are declared to be personal property. If such president or business manager have partners, he shall declare, upon oath, before the assessor, the number of shares held or owned by each of them in such business, ascertained as above provided; and the shares so held by any partner shall be included in the valuation of his

Capital stock
to be returned
under oath.

personal property in the assessment of all taxes levied in the city, town, ward, or civil district where such business is located, except herein otherwise provided; and said president or business manager shall pay the same, and make the amount so paid a charge in his account to said partners; and if said president or business manager have no partners, he shall be held to be sole owner of all the shares in said business; and the same shall be included in the valuation of his personal property in the assessment of all taxes levied in the city, town, ward or district where said business is located, except as herein otherwise provided.

Register of
stockholders
to be kept.

Sec. 10. *Be it further enacted*, That there shall be kept at all times in the office where the business of such bank or banking association or other corporations included in the provisions of section 8 of this Act, organized under the authority of this State or of the United States, shall be transacted, a full and correct list of the names and residences of the stockholders therein, and the number of shares held by each; and such list shall be subject to the inspection of the officers authorized to assess taxes, during the business hours of each day on which business may be legally transacted.

Non-resident
stockholders.

Sec. 11. *Be it further enacted*, That when the owner of stock in any bank or banking association or other corporation included in the provisions of section 8 of this Act, organized under the laws of this State or of the United States, shall not reside in the same county where the bank or corporation or association is located, or is a non-resident of this State, the revenue collector for the State, county, or municipality shall, respectively, have the power to collect tax assessed by this Act by instituting attachment proceedings; and said tax shall be and remain a prior lien on the stock until the payment of the same.

Taxes to be
paid by cor-
poration.

Sec. 12. *Be it further enacted*, That for the purpose of collecting such taxes, and in addition to any other laws of this State relative to the imposition and collection of taxes, it shall be the duty of such corporation, to pay the taxes due upon such stock regardless of any dividend or earnings belonging to such stockholder, a prior lien being hereby declared on all such stock on and after the tenth day of January of each year, and the said corporation, being hereby subrogated to such prior lien for the purpose of enforcing repayment of any taxes that may be so paid for the account of any such stockholder. If the taxes on such shares shall not be paid by such corporation, then the State, county, or municipality may, after such tax may have become de-

linquent, proceed to collect the same by attachment of said shares of stock in any court of competent jurisdiction, through counsel to be employed for that purpose.

Sec. 13. *Be it further enacted*, That all persons, co-partnerships, and joint stock companies engaged in the manufacture of any goods, wares, merchandise, or other articles of value, shall pay an ad valorem tax upon the value of the property, real, personal, and mixed, which is used and held for the purpose of manufacturing, preparing, completing, and finishing goods, wares, and merchandise, and articles in the manufacture of which the parties aforesaid shall be so engaged; and every corporation organized under the laws of this State, or any other State in the United States, or any of the foreign States (except banks and banking associations, and except the quasi public corporations mentioned in the next section of this Act) engaged in any such manufacturing business, or in any other business, shall pay an ad valorem tax upon the full value of its corporate property (including its franchises, easements, and incorporeal rights, and all other property, as a part of such corporate property), which shall in no case be held or deemed to be less than the actual value of all its shares of stock, together with the actual value of its bonded indebtedness; *Provided*, That the shares of stock issued by any corporation created or organized under the laws of Tennessee, whether said corporation be engaged in mining, or the manufacture of goods, wares, or merchandise, or other articles of value, or engaged in any other business, shall not be assessed for taxation to such corporation; nor shall said shares of stock be assessed for taxation in the hands of or against the owners and possessors of said stock, and no assessor shall be paid any compensation for wrongfully assessing shares of stock prohibited from assessment by sections 13 and 14 of this Act; but their value shall be looked to in arriving at the value of said corporate property (including its franchises, easements, and incorporeal rights, and all other property as a part of such corporate property; and in assessing the corporate property, as provided in this section, a reduction shall be made and given for the value of its real property otherwise assessed. For the purpose of assessing any manufactory, the assessor shall visit and carefully inspect the manufactory itself, with all rights and privileges, and shall cause the owner, operator, business partner, president, or other chief official operating the same, to answer, under oath and in writing, the following questions:

(1) Is this manufactory owned and operated by a

Manufacturers
to be assessed
on all prop-
erty.

Mode of asses-
sing.

Questions an-
swered under
oath.

single person, a co-partnership, a joint stock company, or a corporation?

(2) How much money has been invested in real estate, buildings, machinery, and engines, water power or other powers, tramways, and privileges belonging to the manufactory? What is their present value?

(3) Are there any stocks, bonds or interest-bearing mortgage debts outstanding against the manufactory?

If stocks, state how much; if debts secured by mortgages, state their amount, and the rate of interest, and whether the interest is paid or in default; and if in default, how long? What is the stock worth in the market? What are the bonds worth in the market? What dividends have been paid in the last two years? What surplus, if any, is on hand? What is approximately the gross amount of articles annually manufactured or prepared in this manufactory? What is the approximate amount and value of manufactured goods and material for manufacture on hand? After informing himself fully as to the value of such manufactory, the assessor shall assess the same for taxation, and also the value of manufactured goods, and material for manufacture on hand, as required in the first part of this section, and return the said affidavit to the county court clerk for preservation.

No article manufactured of the produce of the State shall be taxed or taken into account under this section.

Sec. 14. *Be it further enacted*, That every quasi public corporation doing business and being operated in this State—such as gas works, water works, electric lights, street railroads, dummy railroads, and all other corporations public in their character, and which possess rights, franchises, and privileges, except railroads, telegraph and telephone companies, which are to be assessed by the officers authorized to assess the same, shall pay an ad valorem tax upon the full value of its corporate property (including its franchises, easements, and incorporeal rights, and all other property as a part of such corporate property), which shall in no case be held or deemed to be less than the actual value of all its shares of stock, together with the actual value of its bonded indebtedness;

Provided, That the shares of stock of any such corporation shall not be assessed for taxation; but their value shall be looked to in arriving at the value of said corporate property (including its franchises, easements, and incorporeal rights, and all other property as a part of such corporate property); but in assessing the corporate property, as provided in this section, a reduction

Description of stocks and values.

Quasi-public corporations.

Shares not assessed.

shall be given for the value of its real estate otherwise assessed. For the purpose of such assessment the assessor shall inspect all property, real, personal and mixed, owned or used by such corporation in its business, and shall cause the president, or other chief officer operating the same, to answer, under oath and in writing, the following questions:

- (1) What amount of money has been invested in real estate, buildings, machinery, engines, rights of way, tracks, motive power, rolling stock, and other property and equipments used in operating the business of the corporation? Interrogatories.
- (2) What is the amount of the bonded or mortgage debt of the corporation, if any? What is the market value of the same? What is the rate of interest? Is the interest paid or in default; and if in default, how long?
- (3) What amount of stock has been issued, and what can the stock be sold for in the market?
- (4) What dividends have been paid on the stock within the last two years?

And the assessor may examine, under oath, any other person or persons touching the amount and value of the business done by such corporation; and, after informing himself fully upon the subject, he shall assess the corporation for taxation, as required in the first part of this section, and return the said affidavit to the county court clerk for preservation; and all incorporated companies assessable under sections 13 and 14 of this Act, owning property in this or any other State, or in one or more counties in this State, shall pay an ad valorem tax upon the full value of its corporate property (including its franchises, easements, and incorporeal rights, and all other property as a part of such corporate property), which shall in no case be held or deemed to be less than the actual value of all its shares of stock, together with the actual value of its bonded indebtedness; and the value of the property of the corporation in the county where located shall not be assessed at less than the relative value of the corporation as capitalized and bonded in the county where located bears to the entire value of the property of the corporation, as capitalized and bonded; and all corporations named or assessable under sections 8, 13 and 14 of this Act, through their president or manager, are hereby required, on or before June 1, 1897, and every year thereafter, on or before June 1, to make out and forward to the State Comptroller a schedule, or written statement, containing the same matters and answers to all questions re-

Taxable values, how arrived at.

Penalty.

quired to be given to the assessors, which shall be sworn to by the president or general manager; and all companies failing or refusing to do so within thirty days after the time provided herein shall be guilty of a misdemeanor, and shall be liable to a fine of two hundred dollars, to go to the State, for each day thereafter; and it shall be the duty of the attorney general to prosecute any and all parties so offending, upon notice from the State Comptroller.

**Saving banks,
how taxed.**

Sec. 15. *Be it further enacted,* That the privileges and franchises granted by the Legislature of this State to Savings Banks or institutions for savings, are hereby declared to be personal property, and liable to taxation as such, in the town, ward, or district where they are located, to an amount not exceeding the gross amount of their surplus earned and in possession of said banks or institutions, and the officers of such institutions, or banks, shall be examined, on oath, by assessors as to the amount of such surplus, and the property of such banks and institutions shall be liable to seizure and sale for the payment of all taxes upon them for said privileges and franchises.

**Charter ex-
emptions in-
valid.**

Sec. 16. *Be it further enacted,* That this Act shall not be so construed, and shall not so operate, as to exonerate and release from taxation any company or corporation whose charter exempts stock and shares thereof from taxation; but it is hereby enacted that in all cases where such stock is exempted, such company or corporation shall be assessed in such way as may be lawful; and in all cases in which, by the terms or legal effect of the charter, the shares of stock in any corporation are wholly or partially exempt from taxation, or in which a rate of taxation on the shares of the stock is fixed and prescribed, and declared to be in lieu of all other taxes for State, county and municipal purposes, shall be assessed and levied at a rate uniform with the rate levied

**Capital stock
to be assessed
at market
value.**

upon other taxable property, upon the capital stock of said corporation, the value of which capital stock shall be fixed and returned by the assessor as being equal to the aggregate market value of all the shares of stock in said corporation, including the net surplus; provided, however, that where the State has provided, in the charter of any such corporation or company, that it shall pay a stated per cent. on each share of stock subscribed, annually, to the State, which shall be in lieu of all other taxes, it shall be entitled annually to a credit therefor upon its assessment of its capital stock, as hereinbefore provided.

Sec. 17. *Be it further enacted,* That stocks of merchandise, wares, goods, and chattels, sold at auction or on commission, shall be assessed for taxation, and the following is declared to be the method by which the amount to be returned, or assessed, shall be determined, viz.:

Where any person, company or corporation, or firm, shall have sold goods, wares, merchandise, or chattels at auction or on commission, whether in the regular business of selling at auction or on commission, or shall have made such sales in connection with any other business, the aggregate amount of said auction or commission sales for the period engaged in business, not exceeding twelve months, shall be ascertained; and one-third of said amount of sales shall be returned for taxation.

Sec. 18. *Be it further enacted,* That merchants shall pay an ad valorem tax upon the capital invested in their business equal to that levied on taxable property; and the term "merchants," as used in this Act, includes all persons, co-partnerships or corporations engaged in trading or dealing in any kind of goods, wares, merchandise, either on land or in steamboats, wharfboats, or other craft, stationed or plying in the waters of this State, and confectioners, and whether such goods, wares, and merchandise, be kept on hand for sale, or the same be purchased and delivered for profit as ordered; but nothing in this Act contained shall in any way affect the collection of privilege taxes upon the vocations declared by this Act to be privileges.

Sec. 19. *Be it further enacted,* That no person, firm, company, merchant, co-partnership, or corporation shall commence and continue a business declared to be a privilege under this Act or under the revenue Act, in any county of this State, without obtaining a license from the clerk of the county court of such county, in accordance with the provisions of this Act; and every person or individual or member of any co-partnership or corporation so offending, after being properly notified by the clerk, shall be subject to prosecution for each day's violation of this law, and, on conviction, shall be fined not less than one hundred dollars for each offense.

Said license is hereby required to show all the State license, and county revenue paid, the name or names of the party or firm or corporation or company.

Sec. 20. *Be it further enacted,* That every merchant, firm, company, person, or corporation applying for license shall, before receiving the same, execute a bond to the State, with good security, to be approved by the clerk of the county court, in the sum of five hundred

One-third of aggregate taxed.

Rate of tax on merchants.

Privilege tax
es payable in
advance.

Penalty.

Merchants' bond.

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Oath. dollars, conditioned that said merchant, firm, company, person, or corporation will render to the clerk issuing the license, at the end of twelve months from the date of the bond (or if the merchant ceases to do business before the expiration of twelve months, then as soon as he ceases to do business), a true statement, under oath, as prescribed by this Act, of the amount of capital invested in such business during said twelve months, or the period in which he was engaged in such business if he cease to do business before the end of the twelve months, and will pay to the clerk the tax thereon. For taking the bonds and issuing the license the clerk shall be entitled to fifty cents, to be paid at the time of issuance.

Fee.

License to be renewed annually.

Sec. 21. *Be it further enacted,* That any merchant, person, firm, company, or corporation continuing in business shall renew license annually; and no license shall authorize merchandising out of the county where issued, nor for a period longer than one year, nor for a shorter period than three months. But should any person, firm, or corporation having paid in advance for such license sell, transfer or dispose of such business before the expiration of said license, the license shall be transferable and the person purchasing shall have full authority to continue said business until the expiration of said license, provided the same bond shall be given as required in section 19 to account for his proportion of the ad valorem tax.

To file statement.

Sec. 22. *Be it further enacted,* That at the expiration of twelve months from the date of his bond, or sooner, as provided in the twentieth section hereof, each merchant, person, firm, or company or corporation shall file with the county court clerk by whom the license was issued a statement, under oath, showing:

Average am't of stock to be assessed.

(1) The amount of capital invested in his business to be assessed for taxation, but under no circumstances shall the amount to be assessed be less than the value of the average amount of stock on hand during the preceding year, to be ascertained by adding together the value of the highest amount of stock on hand at any time during the year, with the value of the lowest amount of stock on hand at any other time during the year, and dividing the same by two, said statement to be sworn to by such merchant, person, or the head of such firm, company or corporation, in which he shall state that he has not reduced his stock for the purpose of escaping taxation at any time; and the said average amount of stock, as sworn to by said merchant, person, firm, or corporation

shall be deemed the taxable value of the capital of such merchant, person, firm, or corporation, upon which he shall pay to the county court clerk the same tax as levied upon real estate and other property for State, county and municipal purposes.

(2) All capital employed during the preceding twelve months in any manner of trading in which there is no stock of goods, wares, and merchandise kept on hand for sale, and the aggregate capital so reported, shall be deemed the taxable capital of such merchant, upon which he shall pay the same tax as levied upon real estate and other property for State, county and municipal purposes; and the report herein required shall be sworn to by such merchant, or the head of such co-partnership, person, mercantile firm, company or corporation.

The word capital, as used in this and foregoing section, shall be construed so as to mean average amount of stock on hand during the year in which it is offered for sale, the amount to be ascertained as provided in the first subsection hereof; but if the average stock on hand is less than the capital stock employed by said merchant, person, company, firm or corporation, he shall pay tax on the capital stock. If the statement herein required to be made under oath to the clerk of the county court be not considered just and correct by the clerk or the district attorney, it shall be the duty of said clerk, of his own motion or under the direction of the said district attorney, to issue citations to the person, firm, company or corporation to appear before said clerk within five days from the date of the issuance of the citation to show cause why such statement shall not be revised and corrected, and the said clerk shall be empowered to issue subpoenas for witnesses to appear before him and testify under oath, to be administered by said clerk or his lawful deputy, touching the correctness or incorrectness of such statement; and it shall be the duty of said clerk, after a full investigation, to correct and audit said statement.

Definition of term capital.

Statements to be corrected, how.

(3) That no person, firm, company, co-partnership or corporation exercising a taxable business, where the stock of goods, wares and merchandise is carried, shall sell or transfer said business as an entirety until all State and municipal and county taxes due thereon shall have first been paid; and in case any person, firm or company, co-partnership or corporation exercising such business shall make an assignment, general or partial, for the benefit of creditors, it shall be the duty of the assignee to first pay in full out of the first assets

No transfer until taxes are paid.

that come into his hands all taxes that may be due upon such business, which shall be a prior lien in preference to all other claims.

County clerk's duty. Sec. 23. *Be it further enacted,* That the county court clerks of this State be, and they are hereby required to turn over to the district attorney general or revenue agent, all privileges and license bonds due and unpaid within thirty days after said bonds become due and payable, taking duplicate receipts for the same, specifying the amount due thereon as nearly as can be ascertained, one of which receipts shall be forwarded to the Comptroller of the State, and the other spread on record

To give notice. in the county court. Whereupon the said district attorney or clerk shall forthwith give five days' notice to the principal and surety on such bonds to appear before the chairman or judge of the county court in which such bond is due, and show cause, if they have any, why judgment should not be rendered against them for the amount of revenue due on such bond, which judgment shall in no case be less than the amount of the specific or privilege tax fixed by law, and by the county court, with six per cent. interest and ten per cent. damages, and the costs added thereto, from the time the bond was

County Courts have jurisdiction. payable and due; and jurisdiction is hereby conferred on the county courts of this State to try and determine such cases, to render judgment, issue execution, and do all things necessary to enforce the collection of this revenue and necessary to the enforcement of this Act; and the notice so given may be returnable to any Monday of said county court to the judge or chairman thereof; provided, that five days' notice is given, when the said judge or chairman shall try the matter; and upon failure of the principal or security to appear, the district attorney or clerk shall move for judgment, and the chairman or judge shall render and have entered a judgment for the amount of said bond, as aforesaid, with costs.

Fees. The said clerk shall be allowed the usual fees for such services as in the circuit courts of this State. The State, county and municipality shall in no event pay any costs in these proceedings; but the same shall be taxed against delinquents.

Clerks to collect and pay over. Sec. 24. *Be it further enacted,* That the clerks of the county courts of the several counties of this State shall collect all taxes on merchants, persons, companies, firms or corporations, and all privileges as now provided by law, and shall be subject to all the fines and penalties for failure to pay such taxes over to the comptroller, county trustee and municipal authorities that are provided for

in this Act in the case of trustees.

Sec. 25. *Be it further enacted*, That all the property described in articles 5, 6, 7, 8, 9, 10 and 11 of section 7 of this Act shall be assessed for taxation according to its actual value; *Provided*, That in assessing steamboats and ferryboats navigating in streams within or bordering on this State, that the same shall only be assessed to the extent of the interest therein of any person, company, corporation or firm residing or doing business in this State.

Sec. 26. *Be it further enacted*, That should it at any time after the assessments have been made, come to the knowledge of the chairman or judge of the county court, the clerk of said court, county trustee, sheriff, or any other officer or person of any county in this State, that any person, company or firm, or corporation in said county has not been assessed as contemplated by the provisions of this Act, or has been assessed or has paid taxes of an inadequate amount, it shall be the duty of said chairman or judge, clerk, trustee, sheriff, or other officer or person, on motion of the district attorney or clerk or revenue agent for State, to cite said person, company, firm, or corporation, their agent, representative, or attorney, to appear before the trustee or county court clerk, in case of merchants' taxes for the purpose of being assessed according to law; and said trustee or county court clerk, in case of merchants' taxes, is hereby authorized and empowered to make proper assessment against such person, firm, or corporation; and should it appear that said person, firm, company or corporation did in any manner connive at or purposely evade said assessment, or did knowingly permit an inadequate assessment to be made, said trustee or county court clerk, in case of merchants' taxes, shall correct said assessment, and in case of ad valorem taxes, add thereto a penalty of twenty-five per cent., and cause the whole to be entered upon the tax books for collection.

Sec. 27. *Be it further enacted*, That the assessed taxes on all real estate, railroad, telegraph, and telephone companies, and all damages and costs accruing thereon, shall be and remain a first lien upon such property from the tenth of January of each and every year, for the taxes for that year; and said taxes shall be a lien upon the fee in said property, and not merely upon the interest of the person to whom said property is, or ought to be, assessed. Said lien shall attach not only to the interest of the person to whom the property is, or ought to be, assessed, but to any and all other interests in said property, whether in reversion or remainder, or of lien-

Steam and fer-
ry boats.

Back assess-
ments.

Penalty.

Lien for taxes.

ors, or of any nature whatever, and the warrant proceeding for collection of taxes, from the assessment to collect for delinquency, shall be a proceeding in rem, and shall not be invalid on account of such land having been listed or assessed for taxation in any other name than that of the original owner.

**Term of office
of assessors.**

Sec. 28. *Be it further enacted*, That the assessors elected under section 37 of chapter 120, Regular Session of 1895, and chapter 5 of the Second Extra Session of 1895, shall hold their offices for the term of four years from January 1, 1897, and shall perform all of the duties required of assessors under the provisions of this Act for said period. In cases of vacancies, the county court, at its first session after the vacancy occurs, shall elect a successor, who shall hold office until the first of January following the next regular August election. The successor shall be elected by the qualified voters at the first regular August election coming after the vacancy, and he shall hold from the first day of the following January to the close of the term filled by his predecessor. No member of the county court shall be eligible to the office of assessor, and no assessor shall succeed himself.

**Election of as-
sessors.**

Assessors shall be elected hereafter, at the regular August election in the year A.D. 1900, and every four years thereafter. In counties having a population of sixty thousand or over, by the Federal Census of 1890, or any subsequent Federal Census (the last census in each case to govern), there shall be elected one assessor, who shall have a compensation of four thousand dollars per annum, and the county court shall fix the number of clerks and deputies for said counties, and fix their compensation, but not to exceed \$1,000 for each assistant. In all other counties in this State, except such as may have a population of not less than fifty thousand nor more than fifty-five thousand, by the Federal Census of 1890 or any subsequent Federal Census, each civil district shall elect by its qualified voters, an assessor for such district.

**Qualified vo-
ters to elect,
when.**

In counties having a population of over fifty thousand and under fifty-five thousand, according to the Federal Census of 1890, or any subsequent Federal Census, there shall be elected by the qualified voters one assessor for the county, who shall receive a compensation of two thousand five hundred dollars per year, and who shall have such number of clerks and deputies, with such compensation, as the county court may fix, to be appointed by the assessor, and this provision shall apply to the assessors elected in August, 1896, whose election is hereby declared legal and valid.

For the year 1897, and all subsequent years, all personal and mixed property shall be assessed annually, and for the year 1898, and every four years thereafter, real estate shall be assessed under the provisions of this Act. The assessment of realty for the year 1896 to remain in force until the assessment for the year 1898 herein provided. Clerks and deputies of assessors shall be appointed by the assessors. The district tax assessors shall receive such compensation as the court may fix, to be paid out of the county treasury, but in no case shall the compensation exceed fifteen cents each for each person assessed with real estate, or with both real and personal estate, and poll, ten cents for each person assessed with personal estate only, exceeding one thousand dollars in value and poll, and five cents for each person listed for a poll only, according to law. The compensation provided for by this section to assessors shall apply to the year 1897 and to subsequent years.

Assessment of personal and mixed property.

Compensation of assessors.

Sec. 29. *Be it further enacted,* That each county assessor shall, on or before the first day of January next succeeding his election, enter into a bond, with two or more good and sufficient securities, payable to the State of Tennessee, in the sum of five thousand dollars, and each district assessor shall in like manner enter into bond in the sum of five hundred dollars, to be approved by the county judge or chairman of the county court, conditioned that he shall faithfully, impartially and honestly discharge the duties of his office, and shall take the following oath of office before the judge or chairman of the county court, and said oath shall be endorsed on his bond, and filed in the office of the county court clerk:

"I, _____, assessor of property and polls of _____^{Oath.}
the county of _____ and civil district of _____
(in case of district assessors), State of Tennessee, do solemnly swear that I will assess all property, real and personal and mixed, at its actual cash value, and all polls of said county of _____, or district _____
in county of _____ (in case of district assessors), at the time I may make said assessments, to the best of my knowledge and ability, without fear, favor, or affection; that I will faithfully, impartially and honestly discharge my duty as assessor, according to the law, to the best of my knowledge and ability; and that I will administer the oath to all property owners, as the law requires, when practicable. So help me God.

"_____, Assessor.

"Sworn to and subscribed before me on this, the _____
day of _____."

Deputy assessors.

Sec. 30. *Be it further enacted*, That the county assessor in each county may appoint one or more deputies, not exceeding ten, the number to be fixed by the quarterly court, with the same powers, duties, and liabilities as the assessor so far as it pertains to the assessment of property and polls, and who shall take the same oath as required of the assessor; and the compensation of said deputies shall be paid as hereinbefore provided. The assessor shall be liable for any malfeasance, misfeasances or nonfeasances of his deputy or deputies.

Duty of assessors.

Sec. 31. *Be it further enacted*, That it shall be the duty of the assessor, by himself or through his deputy, to go on the premises, examine the same and personally see each tax payer in his county or district, or his attorney or agent, and take the sworn statement of each taxpayer in writing as to his property, real, personal and mixed and poll, without regard to any exemption; and if any taxpayer is a non-resident of the county, or if the owner cannot be found or seen in person by the assessor, the assessor shall, in the best way possible, proceed to assess said property, and for that purpose shall administer an oath to any freeholder living in the civil district or ward where such property is situated, or other person, whose duty it shall be to answer, under oath; such questions as may be propounded by the assessor concerning its value; and any and all persons swearing falsely or corruptly shall be guilty of perjury, and any person refusing to take the oath or answer such questions as may be propounded by the assessor shall be guilty of a misdemeanor; and all such statements of the property holder or witness shall be in writing, and shall be filed with the county court clerk by the time or before the assessor makes his final report.

Shall assess separately.

Sec. 32. *Be it further enacted*, That the assessor shall assess the property in each district and ward separately, and to this end he shall proceed to assess the property in a district or ward, commencing at some corner or outside point of the district or ward, and assess it in rotation as it joins or lies contiguous to the property first assessed, and shall proceed in the regular manner until he shall have made the circuit of the district or ward; and he shall enter each assessment in suitable books (by districts and wards), to be furnished by the county court.

Assessor to furnish blanks.

Sec. 33. *Be it further enacted*, That the assessor shall furnish every person, company, firm or corporation, in each ward and district, proper blanks for the purpose of listing and assessing all property and polls; and it is hereby made the duty of the Comptroller of the Treasury

to furnish the clerks of the county courts said blanks, to be distributed by the said clerk to the assessor, which shall contain, among others necessary to ascertain all taxable property, the following questions, and the assessor shall require all parties liable either for a property or poll tax to fill out separate lists:

(1) How many acres of land do you own? In what civil district, range, or surveyor's district is it located, and by whose land is it bounded on the East, South, West and North?

(2) How many town lots do you own? What is their number, and in what town located? What is the number of front feet and depth of the lots?

(3) What is your age? Is there any reason why you are not liable for poll tax?

(4) Of what does your personal property consist, and where situated? Have you conveyed, converted, or disposed of any property, personal, real, or mixed, in any manner, or created any debt for the purpose of evading the provisions of law or affecting the value or amount of your taxable estate?

(5) Are you engaged in the banking business, or are you a shareholder or bondholder or engaged in, or the officer of, any incorporated bank or corporation? If such officer, state the number of shares and bonds held by you and other shareholders or bondholders in said business. And the assessor shall require oath to be made to the correctness of the items thereof and the questions thereon, which oath shall be administered by the assessor or deputy (who is hereby authorized to administer the same), or some justice of the peace, and entered thereon beneath said list, and signed and sworn to by th party listing; and nothing in this Act shall be so construed as requiring the property holder to make oath as to the value of any of his property, but the assessor is hereby required to assess and fix the value of all property as herein required, and report all persons violating this Act to the grand jury; and it shall be a misdemeanor for any assessor to fail to demand that every taxpayer take and subscribe to the oath or affirmation required to said tax schedule, and a misdemeanor also for any taxpayer to fail or refuse to take and subscribe to the oath or affirmation required to said tax schedule, or to fail to return the same to the assessor, and it shall also be the duty of the Board of Equalization to examine and see that all tax schedules have been properly sworn or affirmed to, as required by law; and said board shall present to the attorney general of the circuit, at each court, a duly certified copy and list of taxpayers who have failed or refused to swear or affirm

Oath required
of tax-payers.

Board Equali-
zation, duties
of.

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to the tax schedule; and it shall be the duty of the attorney general to prosecute the same. Violations of this section shall be punished by imprisonment for thirty days in jail, and in all prosecutions for these violations the grand jury shall have inquisitorial powers, and it shall be the duty of circuit and criminal judges to give same in their charges to the grand juries.

**How values
are arrived at.**

Sec. 34. *Be it further enacted,* That all species of property shall be assessed at its actual cash value; that, if real property, its value shall be arrived at by the assessor by estimating the value of the real property on a sale at one-third cash, the balance in equal payments of one and two years, deducting ten per cent. for cash.

**Administration,
etc.**

Sec. 35. *Be it further enacted,* That persons acting as executors, administrators, guardians, agents, attorneys, clerks of any court, or in any fiduciary capacity whatever, shall make a return of the property, moneys, credits and effects held or controlled by them in any of said capacities, separate from their individual returns, and the same shall be listed separately for taxation; *Provided*, that every such trust estate shall be entitled to the same exemption as if owned by a single taxpayer.

**Duty of assess-
ors.**

Sec. 36. *Be it further enacted,* That in all cases where any person or persons acting in a fiduciary capacity, company, firm, corporation, agent, or attorney shall fail, neglect, or refuse to return to the assessor the schedule of property for taxation, as provided for in this Act, the assessor shall report in writing the facts to the chairman or judge of the county court, who shall cite the person, agent, attorney, firm, officer, officers of the company or corporation before him, and shall demand of them to answer the questions heretofore provided in this Act, under oath or affirmation, and shall have power to punish for contempt for failure to answer; and if the refusal to answer is persisted in, the judge or chairman shall make such an assessment in such case from the best information that he can obtain, and such assessment shall be *prima facie* evidence as to the value and ownership of the property; and the costs accruing by proceedings under this section shall be paid by and be charged against the taxpayer and upon the property.

**Assessors to
report to the
county clerks.**

Sec. 37. *Be it further enacted,* That the assessor shall make a report to the county court clerk of said assessment list on or before the first Monday in June in each year as to the personality, privileges and polls, and on or before the first Monday in June every four years as to realty, and turn over his books to said clerk, which shall be filed by him and carefully preserved, to be acted upon by the Board of Equalization, to be appointed as here-

inafter provided; and said books and lists are to be preserved as a part of the official records of the office of said clerk, accompanied by the following oath and affirmation, made before the judge or chairman of the county court, and said oath shall be filed in the office of the county court clerk:

“I, _____, assessor of the county of _____, State of Tennessee, do solemnly swear (or affirm) that I have set down in the foregoing assessment all the property, real and personal, and all the privileges and polls in said county of _____, or district _____; as far as ascertainable, to the true owners thereof, and that I have required lists to be filled and filed by all property owners, agents and attorneys, and lists of all parties liable for a poll tax, as heretofore provided, and that I have estimated the value thereof at its actual cash value, as prescribed by law, at the time I made said assessment, to the best of my knowledge and ability, without fear, favor or affection; and that I have faithfully discharged my duties as assessor according to law, to the best of my knowledge and ability. So help me God.”
“_____.”

“Sworn to and subscribed before me on this, the _____ day of _____.”

Provided, That in the years when real property is not assessed, under the provisions of this Act, that portion of the above oath with reference to the assessment of real property shall be stricken from said oath. No compensation shall be paid to the assessor until he shall have taken the oath above prescribed.

Sec. 38. *Be it further enacted*, That if any improvement on any real estate shall be destroyed by fire or flood, or other casualty, then the owner thereof may, on his application to the county court clerk, have the real estate so damaged re-assessed by the assessor, and such re-assessed valuation shall be substituted on the assessment roll in place of the original assessment.

Sec. 39. *Be it further enacted*, That it shall be the duty of the assessor, in making his annual assessments of personal property, to ascertain whether or not any permanent improvements have been placed upon any real estate previously assessed, so as to enhance the value thereof, to the amount of \$200 or more, and in such case he shall re-assess such real estate, taking into consideration the value thereof resulting from the permanent improvements, which assessment shall in all cases be made as of the tenth day of January of the year of which the assessment is made.

Correction of assessments.

Annual addi-
tions for im-
provements.

Changes in ownership.

The assessor shall also, in making his annual assessments of personal property, ascertain all changes in the ownership of real estate since the last assessment of such real estate, and in such cases he shall report with his assessment the name of the previous owner of such real estate, and the name of the present owner thereof, and if the change of ownership applies to the entire real estate, no change shall be made in the assessed value thereof; but the change of ownership shall be noted upon the assessor's books, the tax duplicate, and the trustee's books. If a part of the real estate in any case has changed ownership, or has different owners than that shown in the former assessment, then the assessor shall fix the value of each owner in such real estate, the aggregate of all of which shall be the same as the assessment to the original owner, unless said real estate, or some portion thereof, has been enhanced in value by permanent improvements, or its value decreased by the destruction of permanent improvements, in which case a re-assessment shall be made so as to fix the value as of the tenth day of January for which the assessment is made, and all changes in ownership of real estate, together with a description of the real estate after the change of ownership, shall be noted by the clerk of the county court on the tax duplicate or the assessment roll, and also upon the trustee's books.

Failure of assessor to comply with law.

Sec. 40. *Be it further enacted,* That each and every assessor, who in the discharge of his duties as such assessor shall in any case refuse or neglect to perform any duty enjoined upon him by law, or shall knowingly or wilfully evade, or violate any of his duties as assessor, whereby any proceedings required by law to be performed shall be prevented or hindered, or whereby any property, or capital required to be listed for taxation by this Act shall not be assessed, or shall be assessed at less than its true value on the basis prescribed by this Act, shall for every such neglect, refusal, wilful evasion, or violation, or for any other breach of duty, be deemed guilty of a misdemeanor and upon conviction thereof shall forfeit and pay to the State not less than fifty dollars, nor more than five hundred dollars, at the discretion of the court and jury, the recovery to go to the common school fund of the county in which the offense was committed, and in addition shall be liable to suit on his official bond in favor of the injured party, and the grand jury shall have inquisitorial powers in all cases of violation of this Act, and the judges shall especially call attention to grand juries of their duty hereunder.

Penalty.

Sec. 41. *Be it further enacted*, That three men who shall be freeholders and taxpayers, not members of the county court, nor holding any other office, county, State, municipal, or federal, and each of whom shall have been a resident of the county for six years next preceding his election, shall be elected by the quarterly court; provided in cities or taxing districts of 60,000 or over, according to the Federal Census of 1890, or any succeeding census, the city council shall appoint or elect two members of the aforesaid Equalization Board, of each county at its April term each year, who shall constitute a Board of Equalization to examine said assessment list, as returned by the assessor to the county court clerk. The members of said board shall be elected from citizens residing in different sections of the county.

Sec. 42. *Be it further enacted*, That said Board of Equalization shall meet on the second Monday of June of each year, and sit in regular session, as necessity may require, until the equalization has been completed; but not to sit longer than ten days in counties having a population of fifty thousand or under by the Federal Census of 1890 or any subsequent census, and fifteen days in counties having a population of over fifty thousand by the Federal Census of 1890, or any subsequent census, the last census in all cases to govern; but the county court may extend the time to twenty days if in their judgment, the public welfare shall require it; and carefully examine, compare and equalize said assessments, and shall eliminate from the list all property exempt under this Act; and they are hereby empowered to hear and adjust complaints from any party feeling aggrieved on account of excessive assessments, when in their judgment justice demands it, and to correct any and all errors arising from clerical mistakes, or otherwise; and the corrections made, if any, shall be entered upon the assessment books without in any way altering the assessment list, and if the value of any taxpayer's property shall be raised by said Board of Equalization, notice shall be given such taxpayer, his agent or attorney, to be served by the sheriff or constable, for which he shall receive a fee of twenty-five cents, to be paid by the county, and such taxpayer may bring proof, and show cause, if any he has, why said increased valuation of property shall not stand; and the action of said board shall be final; but nothing in this Act shall be so construed as to come in conflict with section 26 herein.

Sec. 43. *Be it further enacted*, That all taxes and all liens for taxes, and all penalties and any right to redeem from tax sales accrued under former laws, and existing

Penalties for
non-payment,
and proceed-
ings to collect

at the time of the passage of this Act, are hereby continued in force, and may be enforced under the provisions of this Act, and all suits and proceedings now pending for collection of taxes under former and existing laws shall be continued to a final determination, the same as if this Act had not been passed; *Provided*, that all taxes collectable by county trustees remaining uncollected for the year 1896, shall be collected under the provisions of this Act, and the officers charged with the collection of the same shall settle therefor under and in accordance with the provisions of this Act; *Provided further*, that the provisions of this section shall not apply to delinquent municipal taxes, that have already gone into the hands of the back tax attorneys under existing laws, and whenever bills have been filed, or suits brought to collect delinquent taxes under the authority of then existing laws, such bills or suits may be prosecuted to final judgment, or decree and satisfaction, notwithstanding the repealing clause in this Act contained, and notwithstanding the repealing clause in any Act heretofore passed; and, *Provided*, also, that where sales of land have been made to individuals by back tax attorneys under the provisions of chapter 120 of the Acts of 1895, the said Act is so far continued in force as to permit the completion of such sales to purchasers, by the execution of deeds by said back tax attorneys after the time of redemption has expired according to the terms and provisions of said Act; *Provided*, that the amount of fees due the back tax attorneys shall be allowed them as credits in their final settlements with the State, city and county, said amounts to be fixed by the courts in which bills are filed.

**Compensation
of Board of
Equalization.**

Sec. 44. *Be it further enacted*, That said Board of Equalization shall each be paid a sum of two dollars per day for each day they are actually engaged in the discharge of their respective duties, to be paid by the county; and they shall receive no pay until their duties shall have been discharged.

Oath of board.

Sec. 45. *Be it further enacted*, That each member of the Board of Equalization, before entering upon the duties of his office, shall take and subscribe the following oath before the clerk of the county court, which shall be filed in said office.

STATE OF TENNESSEE, /
____ County. ss.

“I, _____, member of the Board of Equalization of assessments in said county, do hereby solemnly swear (or affirm) that I will, without fear, favor or affection, perform the duties required of me by law as a

member of such board; and that I will carefully examine, compare and equalize all assessment lists, as returned by the assessor and his deputies, and fix the value of all real estate by estimating the value on a sale of one-third cash and balance in equal payments of one and two years, deducting ten per cent. for cash and the value of all personal property at its cash valuation, and the value of all incorporated companies at not less than the value of all its shares of stock, and the bonded indebtedness, as prescribed by sections 13 and 14 of this Act, and that I will hear all complaints made before said board by parties feeling aggrieved during the sitting of the same, and act impartially in passing thereon, to the best of my knowledge and ability, so help me God.

“_____.”

“Sworn to before me this the —— day of ——.”

Sec. 46. *Be it further enacted*, That the said Board of Equalization shall make a return of the assessment lists and books, together with all changes made by said board, to the clerk of the county court, on or before the first Monday in July of the year for which said assessment is made; and then their duty shall cease and determine.

To return lists,
when.

Sec. 47. *Be it further enacted*, That should the property in any district or ward or any part thereof escape assessment, or fail in any manner to be assessed, the trustee is hereby required to assess the same, and report the amount of the taxes thereon collected, to the county court as “picked up” taxes, at the same time he reports lists of errors, etc.; and the clerk of said court is hereby required to certify a copy of said report to the officer with whom the trustee by law is required to settle; and the trustee shall account for the same in making final settlements of his various accounts; but no assessment authorized by this section or by section 26 of this Act shall be made for any other years than for the years in which said assessments shall be made, and for three years preceding same.

Picked-up tax-
es to be re-
ported.

Sec. 48. *Be it further enacted*, That the clerk of the county court shall make out from the assessment book in his possession and deliver to the trustee the tax book on or before the first Monday of October each and every year respectively; *Provided*, that the trustee shall have first entered into a bond in double the amount of taxes, as required by law. Said tax book shall be made out by districts and shall be ruled in suitable and appropriate columns; and shall show the names of owners in alphabetical order, the number of lots and blocks, number of acres, description of the property, as contained in the assessment roll, the value of each lot, tract or par-

County clerks
to deliver tax
books, when.

cel of land, the valuation of personal property under the appropriate head or items called for by this Act, and the total valuation of real and personal property against each taxpayer, also all poll taxes due according to said assessment books. On the total valuation of the real property of each taxpayer, the State, county, special, road, school and municipal taxes shall be extended in appropriate columns separately, according to and at the rate levied by the proper authority for each of said purposes, and a column added showing the total of all taxes levied and to be collected from each taxpayer.

Municipal assessments.

Sec. 49. *Be it further enacted,* That taxes on property for municipal purposes shall be imposed on the value thereof, as the same is ascertained by the assessment for State taxation, and shall be collected by the same officers at the time and in the manner prescribed for the collection of the State revenue; except as herein provided; and it shall be the duty of the clerk of the county court, in making out the tax books, to place all the property within the limits of any given municipality so that it will be separate from the other property; and by footing up the assessed valuations on each page, and recapitulating such footings, he shall show the aggregate valuation of all property within the limits of each incorporated town, city or taxing district; and in the same manner he shall show the aggregate valuation of all property within the limits of the county. The tax books for realty shall show the name of the owner, the description of each lot, tract or parcel of land and the value thereof.

Description.

All taxes delinquent on same date.

Sec. 50. *Be it further enacted,* That from and after the passage of this Act, all municipal taxes, that is to say, the taxes of all incorporated towns, cities and taxing districts, shall be payable and become delinquent at the time that State and county taxes are by this Act made payable and delinquent, except as hereinafter provided.

Exceptions.

The taxes, State, county and municipal, to be collected under this Act shall be payable the first Monday in October of each year, and annually thereafter, except as hereinafter provided; *Provided*, that all municipal taxes, which, by existing laws, shall have become payable prior to the passage hereof, shall not be affected by this Act, but the same shall, in all respects, be governed by the laws enforced at and before the passage hereof.

Itemized receipts written in ink.

Sec. 51. *Be it further enacted,* That the trustee shall give to each taxpayer a receipt, written in ink, for all the taxes paid by him, numbered, dated and filled up so as to show in case of land by whom and on what taxes

were paid, designating the land as it is described in the tax books, the aggregate value of the property, the total rate per centum of the State, county and municipal taxes each, and the aggregate rate per centum of all taxes. In case of personalty the receipt shall be similar, except that the property paid on shall not be described. The trustee shall enter in the tax duplicate opposite the property collected on and received for, the number of the receipt and date thereof; and it shall be the duty of the county court of each county in this State to furnish the county trustee of said county with a sufficient number of tax receipts printed in duplicate and blank form in a book or books; and duplicate receipts shall be preserved in said book or books to be submitted to the county court by the trustee, whenever required to do so; and said receipt book of duplicates, when filled, shall be filed in the office of the county court clerk for reference and shall be received for by the clerk and carefully preserved in his office as a record for the protection of taxpayers who have paid their taxes and lost or misplaced their receipts; *Provided*, however, that in counties of 50,000 population or over, said duplicate receipts will remain in the trustee's office as a part of the records thereof.

Duplicates to
be kept.

Sec. 52. *Be it further enacted*, That the clerk of the county court shall make out from said tax books an aggregate statement showing the value of all town lots, the number of acres and value of all tracts of land, and the value of all personal property. This statement shall be made and the tax shown by civil districts and wards, and shall show the aggregate for the whole county from the items named. Said clerk shall specify in said statement which of said districts are suburban, or country districts. This statement shall be forwarded to the Comptroller of the Treasury on or before the first Monday in October in each and every year. He shall also certify a like statement to the mayor of each municipality by said date.

Sec. 53. *Be it further enacted*, That should any clerk of the county court fail to comply with the requirements of the three preceding sections, when within his power to do so, he shall forfeit all claims for compensation for labor and services for making out and preparing said tax books.

Sec. 54. *Be it further enacted*, That it shall be the duty of the assessor to make a return to the county court clerk of the name of each person, company, firm or corporation engaged in any business liable in any way to pay a privilege tax in each district or ward under the

Tax aggregate
to comptroller
and mayor.

Forfeiture.

Clerk to have
list of privi-
leges.

provisions of law. It shall be the duty of the judge or chairman of the county court, to examine the lists so returned and compare the same with the list of persons paying privileges; and he shall report the result to the quarterly court at the July term following the assessment, and the said report shall be read in full meeting of the county court and spread upon the minutes of the court.

Poll-tax.

Sec. 55. *Be it further enacted,* That every male inhabitant between the ages of twenty-one and fifty years, except persons who are deaf, dumb, blind, or incapable of labor and of earning a livelihood, shall pay a poll tax for school purposes.

Rate.

Sec. 56. *Be it further enacted,* That the rate of taxation on every taxable poll shall be one dollar. Said poll tax shall be collected annually by the trustee of the county, and shall be appropriated for common school purposes in the manner prescribed by law.

Clerk to collect privilege tax.

Sec. 57. *Be it further enacted,* That the clerk of the county court shall collect all tax on privileges and merchants, except when otherwise provided; and that the county trustee shall continue to act as the collector of taxes in accordance with the provisions of sections 1 and 2 of an Act approved on the 24th day of March, 1875, entitled, "An Act more cheaply to collect the State, county and municipal revenue."

Trustee to give notice to tax-payers.

Sec. 58. *Be it further enacted,* That the trustee, on receiving the tax books each year, shall give public notice by advertisement, at four of the most public places in each civil district in the county, that the tax books are completed and in his hands, and that he will attend and receive all public taxes at one or more places of each civil district, to be designated in the advertisement.

To pay trustee.

Sec. 59. *Be it further enacted,* That every taxpayer shall pay his State, county, railroad, municipal, highway, and school, and all his other property and poll taxes to said county trustee, except when otherwise provided by law, and said taxes shall be due and payable on the first Monday in October of each year, and shall bear interest from the first day of February following, except as hereinafter provided.

Delinquent taxes, how collected.

Sec. 60. *Be it further enacted,* That all taxes remaining unpaid on the first Tuesday of March of each year shall immediately be collected by the county trustee by distress and sale of any personal property liable therefor; and the tax books in the hands of said trustee shall have the force and effect of a distress warrant, or execution from a court of record authorizing him to make such

distraint and sale. Ten days' notice of the time and place of said sale shall be given by advertisements put up in three public places in the county, one of which shall be in the district where the tax payer resides, and one of which shall be at the court-house door, and the trustee shall, in all cases, have personal property present when sold, and the trustee shall be allowed to retain, in addition to the taxes, all commissions, costs and necessary expenses of removing and keeping the property distrained; and in all cases where the trustee cannot find personal property sufficient to satisfy said taxes, he is authorized to proceed by garnishment process, returnable before some justice of the peace on any day succeeding the service. The proceedings on the return of such garnishment process shall be as provided in cases of garnishment on execution; and on judgment, if upon the answer of the garnishee, the judgment shall go against him, the said judgment shall be in the name of said trustee. On all taxes collected by the trustee, the trustee or his deputies, whichever performs the services, shall have the same fees where they collect by distress and sale as are allowed for collecting executions. After the taxes become delinquent, the county trustee shall have power to appoint such deputies as may be necessary for the collection of the delinquent taxes, and in such case he shall furnish the deputy with a list of the delinquent taxpayers, with the description of the property assessed against each and the amount of taxes due from each.

Fees.
Deputies.

Sec. 61. *Be it further enacted,* That after the first day of August of each year, the trustee shall advertise all real estate upon which taxes remain due and unpaid, or which is liable for sale for other taxes, at the door of the count-house on the first Monday of September following; and said advertisement shall be in the form following, to-wit:

"DELINQUENT TAXPAYERS TAKE NOTICE." Form of notice

"On the first Monday in July next, at the court-house door (here name the county and town), I will offer for public sale all of the real estate belonging to delinquent taxpayers for the year _____, a description of which real estate can be seen upon the books in my office; and if said sale is not completed on the said first Monday in July, the same will continue from day to day until completed.

(Signed)

_____, Trustee."

Inserted in
newspaper.

Such notice shall be inserted once a week for three weeks in some newspaper published in the county; and if none be published, then by posting said notice at the court-house door for three weeks previous to said sale, the fee therefor to be paid by the county.

Trustee to sell

Sec. 62. *Be it further enacted*, That on the first Monday in September (if the taxes remain unpaid), the trustee shall proceed to sell the land of each delinquent taxpayer, to pay the amount of taxes due by him and all costs, interests, penalties, and charges thereon to the highest bidder for cash; and the sale shall be continued from day to day between the hours of 10 o'clock a.m. and 4 o'clock p.m. each day until all is sold.

No sale for less
than taxes,
etc.

Sec. 63. *Be it further enacted*, That no tract, lot or parcel of land shall be sold for less amount than the amount of taxes, interests, penalties, costs, and charges due thereon; and if no person will bid the amount of such taxes, interests, penalties, costs, and charges, the trustee shall strike the same off to the treasurer of the State, to be held in trust for the use of the State, county and municipality, said sale to be for the amount of said taxes, interests, penalties, costs and charges thereon due to the State, county and municipality; and he shall, on or before the first Monday of October thereafter, file in the office of the clerk of the circuit court of his county a certified list of the lands so struck off by him to the State treasurer, specifying the days of the sale, the amount of the respective taxes for which said sale was made, and each item of costs thereof, which list shall be made in book form, and kept by said clerk as a part of the official records of his office. The list of land so filed with said clerk shall be in lieu of conveyances, and shall vest title in said treasurer for the use aforesaid to all the lands embraced in such list as a conveyance to said treasurer would do.

Statements to
Circuit Court.

Sec. 64. *Be it further enacted*, That the land struck off to the treasurer of the State for taxes shall not be sold for taxes until the same shall have been redeemed or purchased; but nevertheless, it shall be assessed and listed on the tax books as other lands are required to be.

Trustee to list
land sold.

Sec. 65. *Be it further enacted*, That the trustee shall also make a list of the lands sold to individuals in book form in the same manner and at the same time as required for lands struck off to the State treasurer, which he shall file with the clerk of the circuit court of his county, which shall be kept by the clerk as part of the official records of his office; but a failure to make return or record of said list or a defective list shall not affect the title. The list of lands so filed shall operate

to vest title in said purchasers respectively to the lands purchased in fee simple; and any purchaser at tax sale shall be entitled to receive, if he demand the same, a certificate showing his purchase, signed by said trustee.

Title to vest in purchaser.

Sec. 66. *Be it further enacted*, That the lands struck off to the treasurer of the State and the lists of lands sold to individuals, shall remain in the office of the clerk of the circuit court; and the owner of the land, or any person for him, or any creditor of such owner, may redeem the same within two years from said sale by paying said clerk, regardless of the amount of said purchaser's bid at said tax sale, the whole amount of the taxes for which the land was sold, with all the costs, interests, penalties and charges consequent upon the sale, and damages or penalties at the following rate, viz: 6 per cent per annum interest and 4 per cent penalty per annum, and also all State, county and municipal taxes that have accrued on said land since the sale, with the interest thereon at the rate of six per cent per annum, and also three percent on the whole amount of the redemption money for the compensation of said clerk, saving to persons under disability, whose lands may be sold for taxes, a right to redeem the same within two years after such disability shall have been removed, from the purchaser thereof, on the terms herein prescribed on their paying the enhanced value of the land resulting from any permanent improvements on the land after the expiration of two years from the date of sale of the land for taxes; *Provided*, the value of such improvements shall not exceed the rental value of the land.

Land sold for taxes re-deemed, how.

Sec. 67. *Be it further enacted*, That if the purchaser of land at tax sale shall not immediately pay the amount of his bid, the trustee shall offer the land again; and if some person will not then bid the amount of taxes, interests, costs, and charges upon it, it shall be struck off to the State treasurer, as in other cases.

Land to be re-sold, when.

Sec. 68. *Be it further enacted*, That if any land be sold for more than the amount of the taxes due thereon, and all costs, interests, and charges, the excess shall be paid over by said trustee to the clerk of the circuit court at the same time that he shall file with said clerk the list of land struck off to the State Treasurer and to individuals, taking his receipt for the same, and said excess to remain in the hands of the said circuit court clerk until the land is redeemed or until the period of redemption shall have expired, and if said land is redeemed, said excess shall be by the clerk paid to the bidder or purchaser, his representative or assign; and if the land be

Excess of tax sales, how disposed of.

not redeemed, then the same shall be paid by said clerk to the person who owned the land at the time of the tax sale, his heirs or assigns; and the said trustee, and his bondsmen, as the case may be, shall respectively be liable for the safe keeping and disposition of said excess in accordance with the provisions of this Act.

Duty of clerk
in case of re-
demption.

Sec. 69. *Be it further enacted*, That on the payment of the redemption money, the clerk shall, on the record of the list of land struck off to the State treasurer and the list of lands to individuals respectively, write opposite the tract of land the word redeemed, with the date of the payment and redemption, the person redeeming and the amount paid, so as to show the amount paid on account of taxes accrued since the sale; and the said clerk shall be liable on his official bond for any and all moneys collected under this Act, and shall pay over the amount received by him on redemption to the persons entitled to receive the same.

Circuit clerk
to make title.

Sec. 70. *Be it further enacted*, That after the time for redemption of any tract of land sold for taxes shall have expired, any person shall be entitled to receive from the clerk of the circuit court a conveyance of the title vested in the treasurer of the State for the uses aforesaid, upon the payment to said clerk of the whole amount of taxes for which the land was sold and all costs, interests and charges consequent upon the sale and four per cent per annum upon the amount of said taxes; and also all State, county and municipal taxes, which shall have accrued on the land since the said sale, with interest thereon, together with three per centum on the whole amount of the purchase money and fifty cents for making the deed for compensation for the clerk, which conveyance shall vest in him a good and indefeasible title to said land; and which conveyance shall be immediately presented to the county court clerk, whose duty it shall be to enter the same on a book to be kept for the purpose, giving in such entry a complete description of the property, the name of the purchaser, date of the deed, and the several items of the cost and moneys paid thereon, for which he shall receive twenty-five cents as his compensation; and at the same time the county court clerk shall indorse on such conveyance the words "entered in the county court clerk's office," and sign his name and the date thereof, and no such deed shall be recorded in the register's office until it has been so indorsed by the county court clerk; that the form of said deed shall be to the following effect:

Form of
clerk's deed.
"I, _____, clerk of the circuit court of _____
county, in consideration of the sum of \$_____, paid to

me by _____, hereby convey to said _____
the following described land, situated in said county,
to-wit: (here describe the land) sold to the treasurer of
the State for delinquent taxes on property assessed to
_____, for the year _____ on the _____ day of
_____, A.D.

“Witness my hand and seal of said county hereunto
affixed this _____ day of _____ A.D. _____.”
“_____, Clerk.”

Provided, That the said seal of the circuit court clerk
shall be a sufficient authentication and entitle the same
to registration without any acknowledgment.

Sec. 71. *Be it further enacted*, That after the time for
redemption of any tract of land sold for taxes to in-
dividuals shall have expired, any purchaser shall be en-
titled to receive from the clerk of the circuit court a
conveyance of the property so purchased upon payment
to the clerk of the sum of fifty cents which shall be the
clerk's compensation for making and delivering said
conveyance; that the form of said deed shall be in effect
as follows:

STATE OF TENNESSEE, { ss.
 County.

“Be it known that _____, the county trustee Form of deed.
of said county of _____ did on the _____ day of
_____ A.D. ____, according to law, sell the follow-
ing land, situated in said county, assessed to _____
to-wit: (here describe the land) for the taxes assessed
thereon for the year _____ (if sold for other taxes it
shall be so stated) when _____ became the best
bidder therefor and the purchaser thereof at the sum
of \$_____ and _____ cents; and the time for redemp-
tion having expired I, _____, clerk of the cir-
cuit court of said county, by virtue of the authority
vested in me by law, hereby convey said land to _____.

“Witness my hand and the seal of said court hereunto
affixed, this _____ day of _____. ”
“_____, Clerk.”

Provided, That said seal of the circuit court clerk seal
shall be sufficient authentication and entitle the same
to registration without acknowledgment. Said convey-
ance, as well as the conveyance provided for in section Title.
70, shall be an assurance of perfect title to the pur-
chaser of said land; and no such conveyance shall be
invalidated in any court except by proof that the land
was not liable to sale for taxes, or that the taxes for
which the land was sold have been paid before said sale.

Title can be
made after
expiration of
redemption
period.

and if any part of the taxes for which said land was sold is illegal or not chargeable on it, but a part is chargeable, that shall not affect the sale, nor invalidate the conveyance thereunder unless it appears that before sale the amount legally chargeable on the land was paid or tendered to the county trustee; and no other objection, either in form or substance to the sale, or the title thereunder, shall avail in any controversy involving them; and no suit shall be commenced in any court of this State to invalidate any tax title to land after three years from the time said land was sold for taxes, except in case of persons under disability, who shall have one year in which to bring suit after such disability is removed, nor until the party suing shall have paid or tendered to the clerk of the court where the suit is brought the amount of the bid and all taxes subsequently accrued, with interest and charges, as herein provided.

Circuit Court
clerk to re-
port monthly.

Sec. 72. *Be it further enacted*, That it shall be the duty of the clerk of the circuit court, on or before the tenth day of each month, to report to and pay over to the authorities, State, county and municipal, respectively, entitled thereto, all taxes collected by him on redemptions and purchases, as herein provided, during the preceding month, and if he fail to do so he shall be liable on his official bond, and to damages thereon at the rate of two per centum per month for the amounts so held or retained.

Trustee to set-
tle monthly.

Sec. 73. *Be it further enacted*, That on the first Monday in November, and on the first Monday in each month thereafter, the trustee shall report, on oath, and in writing, the amount of taxes collected by him for the preceding month in favor of the State, county and each municipality, and the judge or chairman of the county court for each county, and the mayor or other proper authority for each municipality, shall settle with the county trustee, and ascertain what balance is due from him to the county and municipality, respectively; and said mayor or other proper authority of such municipality shall demand the balance due his municipality, and if the same is not paid shall forthwith move against said trustee and on his official bond for such balance.

County invest-
igating com-
mittee-

Sec. 74. *Be it further enacted*, That the quarterly court at the July term shall appoint a committee of three competent citizens, one of whom shall be an expert accountant, not members of the county court, who shall hold office for two years, whose duty it shall be to critically examine all settlements made by the county judge or chairman of the county court with the various revenue officers of the county, and his own

financial settlement, and to report in writing, under oath, the results of their investigation to the quarterly court; and said committee is hereby empowered to take charge of and demand of said officers any book or other documents necessary to facilitate their investigations, and to count any money in the hands of the same, all of which the said officers are hereby required to exhibit to the committee upon demand. Municipalities are vested with like power to appoint a like committee with the same powers, duties and privileges; and for such services, the compensation of said board shall be established and fixed by each county court in the State.

Municipal committees.

Sec. 75. *Be it further enacted*, That said monthly settlement, so to be made by said judge or chairman, and committee of court, shall be spread upon the minutes of the court and municipality, respectively, and shall specify every credit allowed said officers for errors, removals, double taxation, and such other credits as are now allowed by law, except compensation to trustees.

Settlements to be made of record.

Sec. 76. *Be it further enacted*, That beginning with the October (1897) term of the county court, and annually thereafter, the trustee shall present to said court

Annual settlements of trustees.

a report of all insolvent and delinquent taxpayers, double assessments in his county, with the amount due from each, which report shall be verified by the affidavit of the trustee that he has made, in person or by deputy, a legal demand for taxes of all delinquent taxpayers found in his county, by going to their places of abode or business and searching for something to seize or sell for taxes; that the taxpayers mentioned in the report have failed to pay their taxes, and have no effects known to him which can be made to pay the same; and that he has made diligent inquiry as to such delinquents as have not been found, and cannot find them in his county; and that they have no effects known to him which can be made to pay their taxes. The county court shall proceed to examine said report, and shall allow the trustee a credit for such taxes so reported insolvent or delinquent double assessments as it may be satisfied remain uncollected without the default of the trustee, and no more; and a list of such allowances shall be made out and certified by the clerk of the county court and transmitted to the proper authorities of the State, county and municipality, respectively; and said report shall be spread upon the minutes of the county court and municipality, respectively. The county court shall not allow to the trustee a credit for the insolvent list that he reports merely because he presents it duly sworn to; but the court shall examine carefully each

Credits.

List of allowances.

Examination to be made of credits.

credit claimed by the trustee, and avail themselves of any information by witnesses to test the accuracy of the report, and shall not allow the trustee credit for the taxes of any delinquent who may be ascertained to have anything in his possession or any right of action by a sale of which the trustee would be able to make the taxes; and all of the lists for which the court shall not allow a credit shall be charged against the trustee, and, notwithstanding that the county court may have allowed the trustee credits, such act shall not operate as an estoppel in the event that it should afterwards appear that such credit was improperly allowed. The county trustee shall retain the poll taxes included in his list of insolvencies and for which credit is allowed him, as a charge against the taxpayers who have not paid the same, and at any time he may receive payment thereof, in person or through any deputy appointed by him, and he shall distrain and sell for such taxes, when there is any probability of collecting the same, in person or by deputy appointed for that purpose, any property of such poll tax payers, and sell the same for payment thereof, and all collections of poll taxes so made shall be reported by him and accounted for in his next settlement made after the collection of the same. For such collection, when made by distress or sale, he shall be entitled to the fees heretofore allowed in such cases.

Fees.

Sec. 77. *Be it further enacted,* That as compensation for the services rendered by the clerk of the county court as required by the foregoing sections, he shall receive a reasonable fee, to be fixed upon and determined by the county court, and paid by the county.

**Trustee must
make monthly
settlements**

Sec. 78. *Be it further enacted,* That said trustee shall make monthly settlements with the comptroller of the State, and with the judge or chairman of the county court, and with the financial agent or treasurer of each municipality, and pay over to the same the amounts shown by the respective settlements to be due to each. The trustee shall make, under oath, a full and complete statement on the first Monday of October in each, and every year of the condition of his office, setting out the aggregate amount of taxes collected, the amount not collected, giving State, county and municipality taxes separately, and a full statement of the disbursements of the same, and the amount on hand, and shall cause the same to be published in the newspaper published in said county, and if no paper is published in said county, shall cause the same to be published in the paper nearest the county site, to be paid for by the county.

Sec. 79. *Be it further enacted*, That the trustee shall, <sup>Annual settle-
ments.</sup> before the first Monday in November in each and every year, submit the statements heretofore provided for to the comptroller, for the purpose of making settlements and accounting for and paying all taxes, and damages, penalties, fines, and interest by him collected for and on behalf of the State; and on such settlements he shall be allowed a credit, as herein provided, and none other.

Sec. 80. *Be it further enacted*, That the trustee shall, <sup>Settlement
with county.</sup> on or before the time named in the preceding section, submit his account as county trustee to the judge, or chairman of the county court, for the purpose of making a settlement and accounting for all taxes and penalties and all other county revenue collected by him for and on behalf of the county, and on such settlements shall be allowed credits, as specified herein.

Sec. 81. *Be it further enacted*, That the trustee shall, <sup>To settle with
municipality.</sup> on or before the first Monday in November of each year, submit the statement heretofore provided for in this Act to the mayor or proper officer of each municipality for the purpose of making final settlement and accounting for all taxes, damages, penalties, fines and interests by him collected for and on behalf of such municipality; and on such settlements he shall be allowed credit, as herein provided, and none other.

Sec. 82. *Be it further enacted*, That any and all parties entrusted with the collection and disbursement of public funds or revenues violating the provisions of this Act, upon whom no penalty has been heretofore imposed for so doing, shall be guilty of a misdemeanor, and, upon conviction thereof, shall forfeit and pay to the State not less than fifty dollars nor more than five hundred dollars, which shall be placed in the treasury for the benefit of the public school fund, and where such trustee or other officer whose duty it is to collect any taxes under the provisions of this Act fails to pay over and account for any and all taxes which they have collected or ought to have collected, to the proper officer, in addition to the above penalty they shall be liable to a penalty of ten per cent on the same which is in addition to attorney's fees hereinafter provided, none of which shall in any way be remitted after the matter is placed in the hands of the attorney; and they shall in addition, forfeit their respective offices. No power shall exist either in the court or any other official to release any officer charged with the collection of revenue, or his sureties, from the payment of any revenue, penalties, or fees for which he or they may be liable. <sup>Motion
against
trustee.</sup> A motion or suit lies in favor of the State, county, cor-

poration or municipality against the trustee and his sureties on his official bonds, for any moneys in his hands officially not paid over or accounted for according to law, or for failure to collect. The motion or suit in favor of the State may be brought in the name of the State, and shall be made or brought by the States revenue agents or by district attorney of the circuit or district where it is instituted upon the request of the State's revenue agent made upon direction of the comptroller and treasurer. The motion or suit by the county may be brought in the name of the State for the use of the county by the district attorney or by counsel employed for that purpose. A motion or suit in favor of the municipality may be brought in the name of the State for the use of such municipality by the mayor thereof, or the city attorney. In each case the counsel making the motion and conducting the suit shall be allowed 15 per cent on the recovery as compensation as hereinafter fixed to be added to and become a part of the judgment. The fees allowed to the counsel for the State shall be collected by the State's revenue agent and reported and accounted for as hereinafter provided. In case the judge or chairman of the county court should refuse to make the motion or bring the suit hereinbefore provided for after the written request of any taxpayer to do so, then any taxpayer of the county may make such motion or bring such suit in the name of the State for the use of the county and employ counsel to conduct the cause; but before making such motion or bringing suit, he shall obtain leave of the judge of the court in which the motion is to be made or the suit brought to do so. He shall make such application in writing, stating fully the grounds therefor of which application the judge or chairman of the county court shall have five days written notice, stating time and place of application. The judge shall hear the application at chambers or in term time and may adjudge the costs of the application against the applicant, against the county judge or chairman, or against the county, as he shall deem just; and he shall enter judgment upon the record of his court accordingly.

**Compensation
of trustee.**

Sec. 83. *Be it further enacted,* That the compensation of the county trustee for receiving and paying over to the rightful authorities all moneys received by him shall be six per centum on all sums up to ten thousand dollars (\$10,000), and four per centum on all sums above ten thousand dollars (\$10,000) and up to twenty thousand dollars (\$20,000), and a commission of two per centum on all sums above twenty thousand dollars (\$20,000);

Provided, that in computing the compensation of trustees, all funds, State, county, school, special and municipal, shall be taken and estimated as one, and each shall pay its respective portion of the above commissions on all sums of money received by said trustee for said State, county and municipality respectively; and, *Provided further*, that at the time of the settlement with the proper officers of the State, county and municipality, and the computation of his commission on collections, said trustee shall furnish said officers, respectively, with a certified statement from the judge or chairman of the county court showing the amount actually collected by him and paid over by him to the proper State, county or municipal authorities, respectively, as heretofore provided; *Provided further*, that the trustee shall not be entitled to any commission on money turned over to him by his predecessor in office, or on money borrowed for the use of the county or municipality, and, *Provided further*, that in no case shall his compensation exceed four thousand dollars (\$4,000) for the collection of State, county and municipal taxes; but the county court, in counties of seventy-five thousand inhabitants or over, may allow such clerical assistance to the trustee as it may deem just and equitable, not to exceed the sum of five thousand dollars (\$5,000). And in counties of fifty thousand (50,000) to seventy thousand (70,000) population the court may allow additional assistance not to exceed twenty-five hundred dollars (\$2,500).

Commissions
not to exceed
\$4,000.

Clerical help.

Sec. 84. *Be it further enacted*, That nothing in this Act or any section thereof, shall apply to any municipal corporation in this State, except in cities having a population of from 60,000 to 70,000 by the Federal Census of 1890, or any subsequent Federal Census, which under existing laws are authorized to collect their own taxes on property, privileges, or polls; *Provided*, that all delinquent property taxes of all kinds of all municipal corporations for the year 1896, and all succeeding years, shall be certified by the proper officer of said corporations to their respective county trustees, by June the 1st of the year next after they accrue, and the property against which said taxes are assessed shall be sold by the trustee at the same time and as a part of his other sale and the proceeds of such sales shall be disposed of and the property may be redeemed as elsewhere provided in this Act.

Applicable to
Memphis only

Sec. 85. *Be it further enacted*, That in all instances in which current municipal taxes are collected by the county trustee, the following provisions and rules for the collection of delinquent taxes that may be due to Google

Rules for col-
lecting muni-
cipal taxes.

said municipalities, and none other, shall prevail and obtain, nothing in this Act to the contrary notwithstanding:

When delinquent.

1. The taxes levied and assessed by such municipalities shall become due and delinquent on the dates as now provided by existing laws.

Penalty.

2. If such municipal taxes be not paid on or before the date fixed for the delinquency thereof, then a penalty of five per cent thereon shall at once accrue. If the same be not paid on or before the first day of the following month, then an additional penalty of two per cent thereon shall accrue, and an additional penalty of one per cent shall accrue on the first day of each month thereafter that the same shall remain unpaid until such penalty shall reach the sum of ten per cent on the original tax, whereupon the said penalty shall be no further increased.

Interest.

3. The accrual of the penalty aforesaid shall in no respect affect the interest to be paid on said taxes from the date they become delinquent, such interest to be paid as if no penalty had been imposed.

Sales for all taxes to be made at same time.

4. No distinct or independent sales by the trustee shall be made of the property upon which the said municipal taxes shall become delinquent; but in respect of all municipal taxes, the trustee shall sell therefor, at the same time, under the same advertisement, and under all the proceedings herein provided, at the next sale thereafter to be made for delinquent State and county taxes—such next sale to be made for all taxes except as hereinafter provided—then delinquent to the State, county and municipality.

Books to be turned over to trustee, when.

5. Within thirty days after the passage of this Act the back tax attorneys appointed under section 80, chapter 120, of the Acts of 1895, shall, except as hereinafter provided, turn over and deliver to the county trustees all books, papers and documents whatsoever in their hands relating to the delinquent taxes in said back tax attorney's office, to the end that, as promptly as practicable after the passage of this Act, all delinquent taxes may be paid in the one office, to-wit: that of the county trustee, and the said county trustee is here authorized to collect, receive, receipt for, and discharge all such delinquent taxes, whether State, county or municipal, and whether the same shall hereafter become delinquent, or be now delinquent and in the hands of said back tax attorney for collection.

Trustee to collect accrued penalties.

6. In respect of all delinquent taxes, whether State, county or municipal, now in the hands of said back tax attorney, and here directed to be turned over to the

county trustee for collection, the said county trustee will, in addition to all penalties, interest, and cost, also collect the fees thereon provided by the said Act, chapter 120, the Acts of 1895; *Provided*, that where there was levy of a special tax to pay a special bonded indebtedness, exclusively for county purposes, levied on the fractional part of a county which belonged with the county levying same at the time the indebtedness was created and which was sold and bought in by the back tax attorney under the Act of 1895, then and in that event, the county purchasing the same shall be treated as a person, and the back tax attorneys allowed the fees as provided in said Act of 1895; *Provided*, that said back tax attorney shall prosecute said tax sales to final settlement without any additional compensation other than that provided by chapter 120, Acts of 1895. The said fees shall be equitably distributed as between said county trustees and said back tax attorneys, the distribution to be upon a basis to be agreed upon between said trustees and the said back tax attorneys, if they can agree; and if they cannot so agree, then the apportionment of said fees to be determined by the county court, upon due notice to the parties, respectively, and an opportunity to them to be heard in respect of the matter involved.

Division of fees.

Sec. 86. *Be it further enacted*, That county trustees, in making sales for State, county and municipal taxes, as herein provided, shall not sell any property against which bills have been filed and are then pending. As to all such delinquent property said bills shall be prosecuted to final decree and satisfaction, and shall be made to embrace all taxes due down to the date of sale therein, the intent hereof being to make such judicial proceedings the sole means for collecting delinquent taxes due upon the property embraced therein down to the dates when sales under such proceedings shall be made, and for the purpose of enabling attorneys in charge of such proceedings to effectually prosecute the same, all delinquent tax books in their respective offices pertaining or relating to such taxes for which suits are pending may remain therein until the final termination of such proceedings at which time the same shall be turned over to the respective county trustees as hereinbefore provided in regard to other delinquent tax books.

Trustees not to sell in certain cases.

Sec. 87. *Be it further enacted*, That all sales heretofore made by back tax attorneys by authority of chapter 120 of the Acts of 1895, at which the State became the purchaser, are hereby abrogated and annulled so far as concerns any title, or claim of title, thereunder acquired.

Former sales to the State abrogated.

and, with the exceptions hereinbefore provided, the county trustees, respectively, at the first sale to be made under this Act, shall sell the same for all State, county and municipal taxes then delinquent.

Revenue agent. Sec. 88. *Be it further enacted,* That there shall be appointed by the comptroller four revenue agents, who shall hold their offices for a term of two years from the date of their appointment. That part of the State to which each is assigned shall be designated by the comptroller.

Bond. Each shall enter into bond in the penal sum of twenty thousand (\$20,000) dollars with two or more securities, to be approved by some justice of the supreme court, or chancellor before whom they shall take the usual oath of office. Said bond shall be made payable to the State, and conditioned on the faithful discharge of duty, and for the covering into the State treasury all moneys collected. The comptroller shall furnish them with such reports, documents, data, or other information as will facilitate their investigations. It shall be their duty, under the direction of the comptroller, to examine the records of all officials charged with the collection of State, school or county revenue, or any one who collects State or county revenue without authority of law to do so, or with the disbursement of revenue received from the State or county, and to investigate when necessary, all bills of cost, fees or other items certified to the State or county for payment out of the State or county treasury. They shall make report of each investigation at the close of the same, under oath, to the comptroller for State revenue and cost, and to county judge or chairman for county revenue and cost.

Duties. On entering the offices to make said investigations they shall have the power to demand of all officers charged with the collection of revenue the cash belonging to their offices, as State, school or county revenue, or their accounts in bank, and if the public funds are in a bank, they shall have the right to examine the papers and records of said bank so far as they relate to said public funds. They shall have the right to bring suit, by motion or otherwise, against any delinquent revenue collector or officer, in the name of the State, upon order of the comptroller, for any State, school or county revenues or moneys collected and not reported by said official, or any moneys, revenue, costs, or fees which have been wrongfully certified, received, disbursed, or retained by said official, or any moneys or revenue which were due the State or county. They shall also have authority to bring suit against any delinquent privilege taxpayer, in the name of the State, upon order of the

**To proceed
against delin-
quents.**

comptroller; in both instances the suit is to be brought in the circuit or chancery court. They shall also be required to examine semi-annually, or oftener if in the opinion of the comptroller it is necessary, the reports of merchants, and inquire into the correctness of the said reports. In case of false statements, they shall have the power to instruct and demand of the county court clerks to issue distress warrants for the collection of revenue rightfully due the State or county. They shall also have authority to investigate any claims of the State or county for revenue due, and shall bring suit for the same, as above. They shall also have the authority, and it is made their duty, upon notice from the secretary of the county Board of Equalization, to proceed against assessors for malfeasance or misfeasance in office. For their services they shall be allowed not exceeding fifteen per cent of the amount collected, received or retained. They shall be entitled to their actual traveling expenses, not exceeding five hundred (\$500) dollars per annum, itemized and sworn to, and paid upon warrant of the comptroller, which shall be refunded to the State when their compensation aggregates one thousand (\$1,000) dollars per annum.

Fees and expenses.

They shall report and remit as other officials, on various duties blanks, furnished them by the State comptroller, to the proper authorities. It is hereby declared a misdemeanor for any official to refuse to allow said revenue agents full and free access to all the books and records pertaining to or belonging to his office, and any official so refusing shall be liable to a fine of not less than one hundred (\$100) dollars, nor more than five hundred (\$500) dollars for each refusal. They shall by direction of the comptroller, present and obtain allowance by the courts, both State and Federal, of all taxes whether privileges or ad valorem, due the State from property or its proceeds in the hands of receivers under appointment of the courts or otherwise in the custody of the law. They shall likewise bring and prosecute suits upon direction of the comptroller, for all delinquent taxes due from railroads, express companies, news companies, telegraph companies, telephone companies, or other taxpayer who is required to pay his taxes directly to the comptroller's office. In all suits brought or prosecuted by said revenue agents, if in the federal court the attorney general for the State shall assist therein, and if in the circuit or chancery courts the district attorney general of the district wherein the suit is pending shall assist therein, but the attorney general and district at-

To prosecute
suits for delin-
quent taxes.

**Indemnity
penalty.**

torney general shall not be entitled to any fees for such services.

To indemnify the State against the compensation and expenses of said revenue agents ten per cent will be added to the recovery in all suits brought by said revenue agent against companies or parties who pay directly to the comptroller's office. Said revenue agent shall not compromise any suit or claim due the State, except with the approval and consent of the Governor and comptroller to whom he shall first report all the facts when he deems a compromise advisable. Such compromise shall be in writing and endorsed with the approval of said officers and filed with the revenue agent's report in the comptroller's office. It shall be the duty of the district attorneys of the State to advise and assist said revenue agents in the discharge of their duties, and of the attorney general for the State to advise and assist them in the federal court and in matters before the supreme court.

**Revenue of-
ficers empow-
ered to bring
suit.**

Any officer whose duty is to collect county or municipal revenue on property or privileges shall have the power, and it is hereby made his duty where he cannot collect such taxes by the ordinary method of distress and sale, to bring any and all suits necessary to be brought, or to intervene in any cause where the property or its proceeds liable for the tax is in the hands of a receiver appointed by either the State or federal court, to obtain payment of the taxes from the property or its proceeds; and such officer is authorized to employ the necessary counsel to conduct suits and proceedings under this section and in all suits or proceedings, ten per cent shall be added to the recovery as counsel fees in addition to the recovery. This section shall apply to any taxes now due and unpaid, as well as to any that may hereafter become due.

Acts repealed.

Sec. 89. *Be it further enacted,* That chapter 81 of the Acts of 1885, entitled, "An Act to amend all laws for the assessment and collection of revenue," and chapter 73 of the Acts of 1877, entitled, "An Act to amend all laws for the assessment of property," and chapter 245 of the Acts of 1879, entitled, "An Act to repeal an Act passed March 23, 1877, to amend the revenue laws of the State, and to amend the Act passed March 23, 1875, entitled, "An Act to more cheaply collect the State, county and municipal revenue," and chapter 171 of the Acts of 1881, entitled, "An Act to provide more just and equitable laws for the assessment of revenue for State and county purposes, and to repeal all laws now in force whereby revenue is collected from the assess-

ment of all real estate, personal property, privileges, or polls, so far as they conflict with this Act," also chapter 105 of the Acts of 1883, approved March 30, 1883, and chapter 1 of the Acts of 1885, approved April 9, 1895, entitled "An Act to provide more just and equitable laws for the assessment and collection of revenue for State, county and municipal purposes, and to repeal all laws now in force whereby revenue is collected from the assessment of real estate, personal property, privileges, and polls, and all Acts and parts of Acts upon the subject of the assessment and collection of taxes, and the sale of land for taxes, in conflict with the provisions of this Act and all other Acts in conflict with this Act," and also chapter 28 of the Acts of the General Assembly of the Second Extra Session of 1882, approved April 27, 1882, and also chapter 2 of the Acts of 1887, approved March 26, 1887, and also chapter 90 of the Acts of 1889, entitled, "An Act to provide more just and equitable laws for the assessment and collection of revenue for State, county and municipal purposes, and to repeal all laws now in force whereby revenue is collected from the assessment of real estate, personal property, privileges, and polls, and also chapter 26 of the Extraordinary Session of 1891, entitled "A Bill to be entitled an Act to amend chapter 96 of the Acts of 1889, entitled 'An Act to provide more just and equitable laws for the assessment and collection of revenue for State, county and municipal purposes, and to repeal all laws now in force whereby revenue is collected from the assessment of all real estate, personal property, privileges and polls,'" and also chapter 120 of the Acts of 1895, entitled "An Act to provide more just and equitable laws for the assessment and collection of revenue for State, county and municipal purposes, and to repeal all laws in conflict with the provisions of this Act, whereby revenue is collected from the assessment of real estate, personal property, privileges and polls." Also chapter 60, Acts of 1891, entitled An Act to amend chapter 218, page 262 of the Acts of 1879, entitled, An Act to facilitate the collection of State revenue, And that all other Acts and parts of Acts, upon the subject of the assessment and collection of taxes, and the sale of land for taxes, in conflict with the provisions of this Act be, and the same are hereby repealed. This repeal shall operate as to all taxes assessed under this Act, but shall not operate so as to interfere with the taxes assessed prior to the passage of this Act, except as hereinbefore specially otherwise provided.

Sec. 90. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed April 6, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 2.

[HOUSE BILL NO. 566.]

AN ACT to provide revenue for the State of Tennessee and the counties thereof.

Tax rate.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee, That the taxes on every \$100 worth of property shall be 40 cents for the year 1897, and for every subsequent year thereafter, 25 cents of which shall be for State purposes and 15 cents for school purposes.*

County tax rate.

Sec. 2. *Be it further enacted, That the several county courts of this State be and they are hereby authorized and empowered to levy an annual county tax on every \$100 worth of taxable property not exceeding the State tax and exclusive of the tax for public roads and pikes and schools and interest on county debts and other special purposes, and each county and municipality in this State is hereby authorized and empowered to levy a privilege tax upon merchants and other avocations named in this Act and declared to be privileges, not exceeding in amount that levied by the State for State purposes.*

Privilege taxes

Sec. 3. *Be it further enacted, That all merchants shall pay an ad valorem tax upon the average capital invested by them in their business of 40 cents on the \$100, 25 cents of which shall be for State purposes and 15 cents of which shall be for school purposes; and the privilege tax of 15 cents on each \$100 worth of taxable property, 7½ cents of which shall be for school purposes and 7½ cents for State purposes; Provided, that such privilege*

tax without regard to the length of time they do business shall in no case be less than \$5, which \$5 is to be paid when the license is taken out; and in case all those whose privilege tax amounts to more than \$5, the \$5 paid shall be a credit when the balance of the taxes is paid.

Sec. 4. *Be it further enacted*, That the rate of taxation on the following privileges shall be as follows, and the following are hereby declared to be privileges:

ABSTRACT COMPANIES AND PERSONS

Pursuing the business of furnishing abstracts of title.	
In cities, taxing districts or towns of 30,000 inhabitants or over, each, per annum	\$ 50 00
In cities, taxing districts or towns of from 10,000 to 30,000 inhabitants, each, per annum	25 00
In cities, taxing districts or towns of less than 10,000, each, per annum.....	10 00

ARTISTS AND PHOTOGRAPHERS.

In cities, towns and taxing districts of over 20,000 inhabitants, each, per annum.\$	30 00
In cities, towns and taxing districts of from 5,000 to 20,000 inhabitants, each, per annum	20 00
In cities, towns and taxing districts of from 2,000 to 5,000 inhabitants, each, per annum	10 00
In cities, towns and taxing districts under 2,000	5 00
In counties, outside of incorporated cities, towns and taxing districts, each, per annum	5 00

AUCTIONEERS.

(Which shall include all persons selling goods, wares, merchandise, all other chattels, live stock or securities at public outcry, whether they charge for same or not) but not to apply to judicial sales.

In cities, towns and taxing districts of 30,000 inhabitants or over, each, per annum	\$ 20 00
In cities, taxing districts or towns of from 20,000 to 30,000 inhabitants, each, per annum	15 00

In cities, taxing districts or towns of from 5,000 to 20,000 inhabitants, each, per annum	10 00
In cities, taxing districts or towns of less than 5,000 inhabitants, each, per annum	5 00

BROKERS, MERCHANDISE.

In cities, towns, and taxing districts of 20,000 inhabitants or over, each, per annum	15 00
Of from 10,000 to 20,000, each, per annum	10 00
All of those under 10,000, each, per annum	5 00

BREWERS.

To pay to the County clerk. That the following privilege tax shall be paid direct to the county court clerk by each brewery in this State, and by each agent for breweries other than those in this State, or by any dealer whereby beer is sold by them, purchased from or on account of breweries other than those in this State.

Brewers shall pay, each, per annum.....\$ 200 00

The above tax shall apply to each local agent of brewery or breweries he represents selling or delivering beer to the trade in the State; *Provided*, that such agent handling or selling the beer of more than one brewery shall be liable for tax hereunder, as if agent for one brewery only.

BASEBALL PARKS.

In counties of over 50,000 inhabitants, when admission fee is charged, each, per annum	\$ 75 00
In counties of less than 50,000 inhabitants and over 20,000 inhabitants, when admission fee is charged, each, per annum	50 00
In counties of less than 20,000 inhabitants, when admission fee is charged, each, per annum	20 00

BOTTLERS.

Each bottler or bottling association, other than bottlers of mineral waters, each,

per annum \$ 50 00
But this shall not apply to brewers who bottle their own product.

BROKERS.

(Other than real estate or merchandise and those paying taxes as bankers.)

In cities, taxing districts or towns of 30,000 inhabitants or over, each, per annum.	\$ 100 00
In cities, taxing districts or towns of from 20,000 to 30,000 inhabitants, each, per annum	50 00
In cities, taxing districts or towns of less than 20,000 inhabitants, each, per annum	25 00

BUTCHERS OR RETAILERS OF FRESH MEATS.

This includes all offices, stalls and stores for the sale of fresh meats or from wagons at retail.

In cities, taxing districts or towns or on territory adjacent thereto of 20,000 inhabitants or over, each, per annum...	\$ 15 00
In cities, taxing districts or towns of from 10,000 to 20,000 inhabitants, or on territory adjacent thereto, each, per annum	10 00
In cities, taxing districts or towns of from 5,000 to 10,000 inhabitants, or on territory adjacent thereto, each, per annum	7 50
In cities, taxing districts or towns of from 1,000 to 5,000 inhabitants, or on territory adjacent thereto, each, per annum	3 50

But this shall not apply to farmers vending their own products on the streets and without a regular place of business.

BILLIARDS.

(See Games.)

BILL POSTERS.

In cities, taxing districts or towns of 30,000 inhabitants or over, each, per annum..	\$ 25 00
In cities, taxing districts or towns of from 7,000 to 30,000 inhabitants, each, per annum	15 00

BICYCLES.

(Dealers in.)

This shall apply to persons or firms who handle bicycles exclusively and not in connection with other business, upon which they pay privilege tax, who shall pay as other merchants. Persons or firms who keep bicycles for hire, shall pay a tax of \$1.00 per annum on each bicycle so kept.

WHOLESALE DEALERS IN FRESH MEAT
OTHER THAN BUTCHERS.

In counties of 50,000 inhabitants or over, each, per annum	\$ 100 00
In counties less than 50,000 inhabitants, each, per annum	75 00

CIGAR STANDS.

In cities, towns or taxing districts of 20,000 inhabitants or over	10 00
In cities, towns or taxing districts under 20,000	5 00

CIRCUSES OR MENAGERIES OR BOTH.

(When admission fee is charged.)

Circuses or menageries or both combined, showing any portion of the circus, whether horses are used or not, each day and night, or day or night each.

In cities, taxing districts or towns of 10,000 inhabitants or over	\$ 200 00
In cities, taxing districts or towns of less than 10,000 inhabitants and over 5,000	150 00

And in cities, taxing districts or towns of less than 5,000 inhabitants	100 00
Side shows or other shows and concerts in connection with the above taxed sepa- rately under the appropriate head, if they charge separately or additional entrance fees, each day and night, or day or night, each	50 00

Shows or exhibitions in the nature of a cir- cus or menagerie, other than a reg- ular circus or menagerie, when over 25 cents admission is charged, for each day and night or day or night, each..	100 00
Side shows in connection with the above, if the same admission fee is charged..	25 00

Per week for small shows and side shows..	100 00
Per month for small shows and side shows	250 00
Shows or exhibitions same as above, when not over 25 cents is charged for ad- mission, each day and night, or day or night	25 00
Per week for both	75 00
Per month for both	150 00
Ten-cent shows or exhibitions, same as above, when not over ten cents admis- sion fee is charged, each day and night	10 00
Per week	50 00
Per month	100 00

COAL OR COKE, OR COAL AND COKE.

(Agents or dealers.)

In cities, towns or taxing districts of 30,000 inhabitants or over, each person, firm or corporation, each, per annum.....\$	30 00
In cities, towns or taxing districts of over 5,000 and under 30,000 inhabitants, each person, firm, agency, or corpora- tion, each, per annum	10 00
In cities, towns or taxing districts of less than 5,000 inhabitants, each, per annum	5 00

This shall not apply to persons or companies who sell
in quantities of five (5) bushels or less, or persons who
mine their own coal and sell the same in wagon load
lots.

COMMERCIAL, MERCANTILE OR PROTECTIVE AGENCIES.

In cities, taxing districts or towns of 20,000 inhabitants or more, each office, per annum	\$ 125 00
In cities, taxing districts or towns under 20,000 inhabitants, each office, per annum	50 00

CONSTRUCTION COMPANIES.

Each company organized under the laws of
this State, or doing business in this
State, within each county, per annum.\$

100 00

COLLECTION AGENCIES.

This tax shall be paid, whether such agency has paid the tax as required of commercial, mercantile, mutual benefit or protective agents, or not.

In cities, taxing districts or towns of 20,000 inhabitants or over, each office, per annum	\$ 25 00
In cities, taxing districts or towns of less than 20,000 inhabitants, each office, per annum	10 00

COAL OIL OR ILLUMINATING OIL.

Companies, firms or local agents, selling to other dealers for re-sale shall pay as wholesale merchants. Selling directly to the consumer, shall pay as peddlers. This shall not apply to merchants keeping oils for sale and paying a general merchant's tax.

COTTON SEED OIL MILLS.

On each plant pressing 1,000 tons or under, annually	\$ 15 00
On each plant pressing 1,000 or under 5,000 tons, annually	30 00
On each plant pressing over 5,000 and under 10,000 tons, annually	40 00
On each plant pressing over 10,000 and under 20,000 tons, annually	60 00
On each plant pressing over 20,000 and under 30,000 tons, annually	100 00
On each plant pressing over 30,000 and under 50,000 tons, annually	150 00
On each plant pressing over 50,000 and under 75,000 tons, annually	200 00
On each plant pressing over 75,000 and under 100,000 tons, annually	300 00
On each plant pressing over 100,000 and under 150,000 tons, annually	350 00

Oath as to product.

They shall make oath before the county court clerk as to the number of tons pressed, and any false statement with reference thereto shall be perjury, and punished accordingly. The statement to be made by the taxpayer shall be in writing, and the oath shall likewise be in writing and signed by the party, and shall show the amount pressed each and every month, and be filed with the clerk of the county court.

COTTON COMPRESSES.

Shall be taxed as other property, and each press, pressing one bale and under 20,000 bales, per annum, shall pay...\$	25 00
20,000 bales and under 50,000 bales, per annum	50 00
50,000 bales and under 100,000, per annum	150 00
100,000 and under 200,000 bales or over, per annum	200 00

COUNTY CERTIFICATES OR WARRANTS.

Dealers not paying taxes as bankers or brokers, in cities, taxing districts or towns of 30,000 inhabitants or over, each, per annum	\$ 50 00
In cities, taxing districts or towns of from 5,000 to 30,000 inhabitants, each, per annum	25 00

COTTON FACTORS.

Cotton factors receiving and selling cotton other than merchants that pay a privilege tax. Each person, firm, company or corporation, in cities, towns or taxing districts of 20,000 inhabitants or over	\$ 25 00
Each person, firm, company or corporation, in cities, towns or taxing districts of from 10,000 inhabitants to 20,000....	15 00
Each person, firm, company or corporation, in cities, towns or taxing districts of from 5,000 to 10,000	7 50
Each person, firm or corporation, in cities, towns or taxing districts of less than 5,000 inhabitants	5 00

DISTILLERS OF WHISKY AND BRANDY.

distillers with a capacity of over twenty barrels per day, per annum.....\$	250 00
distillers with a capacity of from ten to twenty barrels per day, per annum...	150 00
distillers with a capacity of from five to ten barrels per day, per annum	75 00
distillers with a capacity of five barrels or less per day, each, per annum	25 00

DEALERS IN THEATER TICKETS.

Persons buying and offering for sale such tickets in cities, towns or taxing districts of 40,000 inhabitants or over, each, per annum	\$ 15 00
In cities, taxing districts or towns, from 20,000 to 40,000 inhabitants, each, per annum	10 00
In cities, taxing districts or towns, from 10,000 to 20,000 inhabitants, each, per annum	5 00

EATING OR LUNCH HOUSES OR STANDS.

Other than hotels or restaurants in cities, towns or taxing districts of 8,000 inhabitants or over, each, per annum...\$	10 00
Under 8,000 inhabitants	5 00

ELECTRIC LIGHT COMPANIES.

Corporations, associations or individuals manufacturing electricity for light, for sale.	
In cities, taxing districts or towns of 50,000 inhabitants or over, each, per annum..\$	350 00
In cities, taxing districts or towns from 20,000 to 50,000 inhabitants, each, per annum	250 00
In cities, taxing districts or towns from 10,000 to 20,000 inhabitants, each, per annum	150 00
Or under 10,000 and over 5,000 inhabitants, each, per annum	75 00
Or under 5,000 inhabitants, each, per annum	40 00

No municipality owning its own plant shall be required to pay this tax.

FEATHER RENOVATORS.

Persons, firms or their agents soliciting or engaged in cleansing and renovating feathers, in each county, each, per annum	\$ 30 00
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FEES.

Fee brokers. All persons, banking associations or brokers, or their agents buying, or attempting to buy, fees of any officer or witness accruing in any of the courts of this State, shall be taxed as follows:

In counties of 50,000 inhabitants or over, each, per annum	\$ 100 00
In counties from 20,000 to 50,000 inhabi- tants, each, per annum	75 00
In counties of 10,000 to 20,000 inhabitants, each, per annum	50 00
In counties less than 10,000 inhabitants, each, per annum	5 00

Said tax shall be paid for each and every person em-
ployed in said business, whether as principal or agent.
But said tax shall not apply to merchants or other per-
sons paying face value for said fees.

FERRIES.

Except those run by hand with oars, when landing
in this State at or within five miles of taxing districts,
cities or towns.

At or within five miles of cities, towns or taxing districts of 10,000 inhabitants or over, each, per annum.....	\$ 50 00
At or within five miles of cities, towns or taxing districts of from 5,000 to 10,000 inhabitants, each, per annum	30 00
At or within five miles of cities, taxing districts or towns from 3,000 to 5,000 inhabitants, each, per annum	20 00
At or within five miles of cities, towns or taxing districts of less than 3,000 in- habitants, each, per annum	5 00
All ferries taxable under this Act more than five miles from towns, cities or taxing districts, each, per annum	5 00

Provided, That there shall be no tax upon any ferry
owned by the county wherein the same is situated.

FLYING JENNIES.

In cities, towns or taxing districts of 50,000 inhabitants or over, each, per annum..	\$ 100 00
In cities, towns or taxing districts from 20,000 to 50,000 inhabitants, each, per annum	50 00
In cities, towns or taxing districts from 5,000 to 20,000 inhabitants, each, per annum	25 00
In cities, towns or taxing districts under 5,000 inhabitants, each, per annum..	15 00

In counties outside of towns, cities and taxing districts, each, per annum	25 00
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FORTUNE TELLERS.

Each, per annum	\$ 10 00
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FRUIT STANDS.

In cities, towns or taxing districts of 50,000 inhabitants or over, each, per annum..	\$ 5 00
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In cities, towns or taxing districts of less than 5,000 inhabitants, each, per annum	2 50
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FUTURES.

Dealers in futures and brokers dealing in futures when actual delivery is not intended, each person, firm, company or corporation dealing in or doing a brokerage business therein, and each branch or agency of such firm, company or corporation, at any place in this State, each, per annum.....	\$ 2,000 00
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Proviso.

Provided, further, That nothing contained in this section shall be construed directly or indirectly to amend, repeal or modify any criminal law of this State, or to exempt any person or persons from the penalty of violating any criminal law of this State, nor to license any person or persons to do any act or business in violation of any statute law of this State.

Brokers doing a brokerage or commission business for cash or actual future delivery on the regularly organized exchanges of the country or through any member of said exchanges, per annum, each	\$ 200 00
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GAMES.

Billiard tables, pool tables, bagatelle tables, jenny lind tables, ten pin alleys, roller coasters, on each in cities, taxing districts or towns of 20,000 inhabitants or over, per annum	\$ 25 00
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In cities, taxing districts or towns of from 10,000 to 20,000 inhabitants, each, per annum	15 00
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In cities, taxing districts or towns of from	Digitized by Google
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5,000 to 10,000 inhabitants, each, per annum	10 00
In cities, taxing districts or towns of 5,000 inhabitants or under, each, per annum	5 00

But this shall not apply to pool or billiard tables in Exceptions. private houses not used for profit, nor to ten pin alleys on private premises not used for profit, and not open to the public, or associations for social purposes, or schools, where no liquors or refreshments are sold.

All devices used by persons as a source of profit to themselves, such as shooting at wooden figures or any other object, throwing rings or any device of like nature, and striking an object to test the strength, and blowing to test the lungs, each, per annum	\$ 10 00
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GAS COMPANIES.

In cities, taxing districts or towns of 70,000 inhabitants or over, each, per annum	\$ 700 00
In cities, taxing districts or towns of from 30,000 to 70,000 inhabitants, each, per annum	350 00
In cities, taxing districts or towns from 10,000 to 30,000 inhabitants, each, per annum	150 00
Or under 10,000 and over 5,000 inhabitants, each, per annum	75 00
In cities, taxing districts or towns under 5,000 inhabitants, each, per annum..	50 00

No municipality owning its own plant shall be required to pay this tax.

HOTELS AND TAVERNS.

In cities, taxing districts or towns of 30,000 inhabitants or over for each room, except the diningroom, kitchen and two other rooms, each, per annum.....\$	.50
In cities, taxing districts or towns of from 10,000 to 30,000 inhabitants, for each room except the diningroom, kitchen and two other rooms, each, per annum .....	.50
In cities, taxing districts or towns of from 5,000 to 10,000 inhabitants, for each room except diningroom, kitchen and two other rooms, each, per annum...	.25
a cities, taxing districts or towns of less	

than 5,000 inhabitants, for each room,
except diningroom, kitchen and two
other rooms, each, per annum15

HOTELS KEPT AT PLACES OF SUMMER
RESORT.

To be taxed as other hotels, but may be
paid quarterly, each, per annum.....\$.50

HUCKSTERS.

Persons who either at stalls or booths, or
from wagons, sell butter, eggs, poultry,
fruit or other produce from the farm,
garden or orchard directly to the con-
sumers in cities and taxing districts or
towns of 30,000 inhabitants or over,
each, per annum \$ 5 00

In cities, taxing districts or towns of from
5,000 to 30,000 inhabitants, each, per
annum 3 00

In cities, taxing districts or towns from
3,000 to 5,000 inhabitants, each, per
annum 2 00

In cities, taxing districts or towns of less
than 3,000 inhabitants, each, per
annum 1 00

This shall not apply to persons selling products raised
by themselves.

ICE.

(Dealers in.)

Each person, firm or corporation selling im-
ported or home ice to the trade in
cities, taxing districts or towns of
30,000 inhabitants or over, each, per
annum \$ 100 00

In cities, taxing districts or towns of from
8,000 to 30,000 inhabitants, each, per
annum 75 00

In cities, taxing districts or towns from
5,000 to 8,000 inhabitants, each, per
annum 50 00

In cities, taxing districts or towns from
2,000 to 5,000 inhabitants, each, per
annum 25 00

In cities, taxing districts or towns of 2,000
inhabitants or under, each, per
annum 5 00

Each firm or person retailing or selling ice from any car running upon any railroad in this State, in lieu of all other taxes to be paid in any county of the State through which the car runs, and in which such sale or sales may be made	50 00
Retail ice dealers running wagons in connection with their business, each, per annum	5 00

In towns of less than 1,000 inhabitants no taxes shall be charged to retail dealers in ice; *Provided*, manufacturers shall not be required to pay tax as retail dealers. This tax shall not apply to municipal corporations owning and operating ice works and plant.

INTELLIGENCE OFFICES.

Keeper of each, per annum.....\$	10 00
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INSURANCE AGENTS.

Each agent, including each member of an agency or firm, writing or soliciting insurance in this State shall pay a State tax in lieu of all other privilege taxes on the following basis:

Agents commencing business between January 1 and April 1, of each year	\$ 10 00
Commencing business between April 1 and July 1	7 50
Commencing business between July 1 and October 1	5 00
Commencing after October 1.....	2 50

All payments to be made to the end of each calendar year. This tax is paid direct to the Treasurer of the State, except when he delegates the power to collect the same to the county court clerks, as provided by statute.

Sec. 5. *Be it further enacted*, That all insurance companies shall pay direct to the Insurance Commissioner the following taxes, which shall be in lieu of all other privilege taxes: fire, life and all other insurance corporations of other States and foreign countries, except life and casualty corporations transacting business on the assessment plan— $2\frac{1}{2}$ per cent. on gross premium receipts in this State, payable semi-annually, January and July, on sworn returns; and life corporations of other States and foreign companies ceasing to transact new business in this State shall continue to pay the tax.

Companies to
pay taxes to
Commissioner.

herein provided on business in force, and until the same be terminated.

Rate of tax.

Fire, life and all other insurance corporations of this State, except life and casualty corporations transacting business on the assessment plan, and mutual fire corporations, $1\frac{1}{2}$ per cent. on gross premiums in this State, payable semi-annually, January and July, on sworn returns.

Assessment, life and casualty corporations, whether organized under the laws of this State, or of some other State or foreign country, \$200 per annum; *Provided*, however, that this shall not apply to purely fraternal orders or societies.

Mutual fire companies, which do business outside of the county in which they have their domicile, \$150 per annum.

ITINERANTS.

All persons, whether physicians or not, either selling medicine or advertising their services, or both, by appearing on the streets or elsewhere, or making harangues for the purpose of advertising as aforesaid in each county, per annum

\$	500	00
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Provided, That no license shall be issued for less than twelve months.

LAND STOCK COMPANIES.

Which have a capital invested in said business of \$100,000 or more, shall pay a privilege tax, each, per annum.....\$ 25 00
Or those which have a capital of \$50,000 or less than \$100,000 shall pay, each, per annum 15 00
Those having a capital of less than \$50,000 shall pay, each, per annum 10 00

LAUNDRIES.

(Other than those run by hand power.)
In cities, taxing districts or towns of 20,000

inhabitants or over, each, per annum..\$ 50 00

In cities, taxing districts or towns of 5,000 to 20,000 inhabitants, each, per annum

25 00

All under 5,000 inhabitants, each, per annum

15 00

This shall also apply to such laundries run by hotels

for profit. And shall not include towns and villages of less than 1,000 inhabitants.

LIGHTNING ROD DEALERS OR AGENTS.

Each dealer or agent in each county shall
pay, per annum\$ 100 00

LIQUOR DEALERS.

Wholesale (and, in addition, taxed as other
merchants)\$ 200 00

Retail, taxed as other merchants, and, in addition,
shall pay as follows:

In cities, taxing districts or towns of 5,000
inhabitants or over, each, per annum.\$ 200 00

At any place, city, taxing district or town
of less than 5,000 inhabitants, each,
per annum 150 00

The procuring of the United States revenue license
to wholesale or retail liquor dealers shall be taken as
prima facie evidence that the parties are in a wholesale
or retail liquor business, and are subject to State and
county taxes, unless established by proof that they are
not so engaged; upon any clerk receiving knowledge of
such internal revenue license, he shall have a right to
collect taxes by distress warrants.

U. S. license
evidence of
dealing.

Persons selling liquor in quantities of one quart or
more, except manufacturers selling to dealers in original
packages of not less than five gallons, are wholesale
dealers, and persons selling smaller quantities than five
gallons are retail dealers, and the tax on liquor dealers
applies to all drug stores, except in uses of wine for
sacramental purposes, and alcohol for domestic pur-
poses.

Persons selling beer or any quantity of
liquor on steamboats, flatboats, or any
other vessel or watercraft, or from rail-
road cars, shall pay a tax, each, in lieu
of all other taxes, to be paid in any
county they may elect, per annum...\$ 200 00

No producer of grape wine, where they raise and make
the wine themselves, shall pay any privilege tax for sell-
ing the same; *Provided*, they shall not sell in quantities
of less than five (5) gallons.

LIVERY, SALE AND FEED STABLES.

In cities, taxing districts or towns of 50,000
inhabitants and over, per stall.....\$.50

Taxing districts, cities or towns of 30,000 and under 50,000, per stall.....	.40
Taxing districts, cities or towns of 10,000 and under 30,000, per stall.....	.25
Taxing districts, cities or towns under 10,000 inhabitants, per stall.....	.10

LUMBER DEALERS.

Lumber dealers who buy and sell lumber sawed, dealers in sawed logs, and dealers in staves, must pay a privilege and ad valorem tax as merchants, provided that merchants, who also deal in lumber, shall pay only one privilege tax.

LITIGATION.

Each suit in law or equity in courts of record, to be paid by the unsuccessful party	\$ 2 50
Each indictment or presentment.....	5 00
Each appeal to the supreme court in criminal cases, if defendant is unsuccessful	7 50
Each appeal or writ of error or certiorari from the circuit court or chancery court to the supreme court.....	5 00
Each appeal or certiorari from a justice of the peace	2 50

Costs, how taxed and disposed of.

That on appeal cases from justice courts where the case is compromised before trial, this tax shall not accrue. All of the above taxes shall be taxed in bills of costs, and are hereby declared part of the costs in the cases, and shall in no case be remitted when such tax can be made out of the defendant, and said officers collecting said taxes and under the smaller offense Act, shall report the amount collected by them every ninety days and pay the same over to the Treasurer of the State and report same to the comptroller.

Exceptions.

No taxes shall be paid on application for dower or homestead, and no taxes on applications of guardians to sell property for maintenance of wards, or to sell or exchange property for manifest interest of wards, or to trench on the property of wards, or on application for partition, and no taxes on suits brought by the State, county or municipality to collect taxes; *Provided*, that in any suit commenced in any court of record and carried to another court of concurrent jurisdiction, and appeals from the county court to the circuit or criminal court but one litigation tax shall be paid.

MARRIAGE LICENSE.

Each (for school purposes), and the tax to be kept in the county	\$	1 00
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MACHINE—NICKEL-IN-THE-SLOT.

Not run in violation of criminal law.

Each, per annum	\$	2 50
Penny-in-the-slot, each, per annum.....		1 00

And said taxes shall be paid by every saloon keeper,
or other person who keeps any of the above in connection
with his or her business and for the use of the
public, whether the same is charged for or not.

PARKS—PUBLIC.

Public parks (when visitors are charged an admission fee), each, per annum	\$	100 00
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PARKS—BASEBALL.

(See Baseball.)

PAWBROKERS.

In cities, towns or taxing districts of 30,000 inhabitants or over, each, per annum.\$	150 00
In cities, towns or taxing districts of 8,000 to 30,000 inhabitants, each, per annum	125 00
In cities, towns or taxing districts of 5,000 to 8,000 inhabitants, each, per annum	75 00
In cities, towns or taxing districts under 5,000 inhabitants, each, per annum..	50 00
Outside of towns, taxing districts in each county, per annum	10 00

In addition, they shall pay a tax as other merchants.

PEDDLERS.

Buying or selling for profit, or both, if on foot, in each county, each, per annum.\$	5 00
If with horse and vehicle; in each county, each, per annum	10 00
If with more than one horse for each additional horse in each county, each, per annum	5 00
If for patent medicine and nostrums, and on foot or horse in each county, each, per annum	150 00

Or for patent medicine and nostrums, if with horse and wagon, in each county, each, per annum	200 00
Peddlers of patent school apparatus, maps, charts and other articles, if on foot in each county, each, per annum	150 00
If with horse and vehicle in each county each, per annum	300 00
If with more than one horse, for each additional horse in each county, per annum	100 00
Peddlers of coal oil and gasoline in each county, each, per annum	10 00

This shall apply to all parties, if the article is delivered in any other manner than by mail, freight or express.

PLUMBERS AND GAS FITTERS.

In cities, towns and taxing districts of 30,000 inhabitants or over, each, per annum	\$ 20 00
In cities, towns or taxing districts of 8,000 to 30,000 inhabitants, each, per annum	10 00
In cities, towns and taxing districts of from 3,000 to 5,000 inhabitants, each, per annum	5 00
In cities, towns and taxing districts under 3,000 inhabitants, each, per annum...	5 00

To pay as other merchants. In addition they shall pay a tax as other merchants. The above tax shall be paid by gas and water companies doing a plumber's business, or that of gas fitting. *Provided*, that no tax shall be collected on gas and water companies doing a plumber's business when the said companies are owned and operated by municipalities for their own benefit.

PARKS AND RACE TRACK ASSOCIATIONS.

Each association retailing malt liquor, per annum	\$ 100 00
Shooting galleries and stands, each, per annum	25 00

RACE TRACKS AND BOOKMAKERS.

Tracks of one mile or more, each, per annum	\$ 200 00
Tracks of one-half mile or more, each, per annum	150 00

Tracks of one-fourth of a mile, each, per annum	100 00
Bookmakers on horse racing, each company, firm, person or corporation, in each county, each, per annum, or for any shorter time	100 00

RAILROAD TICKET AGENTS OR SCALPERS.

(Except agents actually on lines of railroad).

In cities, towns or taxing districts of 25,000 inhabitants or over, each, per annum. \$	75 00
In cities, towns or taxing districts of 10,000 inhabitants and under 25,000, each, per annum	50 00
In cities, towns or taxing districts of less than 10,000 inhabitants, each, per annum	25 00

REAL ESTATE DEALERS, BROKERS AND AGENTS.

In cities, taxing districts or towns of more than 30,000 inhabitants, each agent, each, per annum	\$ 25 00
In cities, taxing districts or towns of 20,000 to 30,000 inhabitants, each, per annum	20 00
In cities, taxing districts or towns of 10,000 to 20,000 inhabitants, each, per annum	15 00
In cities, taxing districts or towns of less than 10,000 inhabitants, each, per annum	5 00

RESTAURANTS.

(Same as hotels, on each room, in addition, as follows:)

In cities, towns or taxing districts of 30,000 inhabitants or over, each, per annum. \$	40 00
In cities, towns or taxing districts from 20,000 to 30,000 inhabitants, each, per annum	30 00
In cities, taxing districts or towns from 10,000 to 20,000 inhabitants, each, per annum	25 00
In cities, taxing districts or towns from 5,000 to 10,000 inhabitants, each, per annum	20 00

In cities, towns or taxing districts having from 2,000 to 5,000, each, per annum.	10 00
In cities, towns or taxing districts having less than 2,000 inhabitants, each, per annum	5 00
In counties not in towns, cities or taxing districts, each, per annum.....	5 00

STOCK YARDS, STOCK PENS, ETC.

To pay on pens.

(This shall not apply to livery stables who pay a privilege tax.) Stock yards, stock pens, feed or sale stables, having stock or mule pens in connection with their business, shall pay a privilege tax for State purposes as follows:

In counties of 40,000 inhabitants or over per square or pen, per annum.....\$	.50
Less than 40,000 inhabitants, per square or pen, per annum .....	.35

Said squares or pens need not be fenced. A square or pen shall be ten feet by ten feet.

SEWING MACHINES, DEALERS IN OR AGENTS.

Each agent or dealer, in counties above 50,000 in population, each, per annum	\$ 30 00
In counties having a population, not less than 30,000 nor more than 50,000, each, per annum	20 00
In counties under 30,000 population, each, per annum	10 00

Merchants selling sewing machines upon which they pay an ad valorem tax, as on other merchandise, not to pay this tax required of agents and dealers, provided, they sell the same in any one established place of business.

SECURITIES.

(Dealers in.)

In counties of 50,000 inhabitants or over, each, per annum	\$ 30 00
In counties of 30, 000 to 50,000 inhabitants each, per annum	15 00
In counties from 15,000 to 30,000 inhabitants, each, per annum	10 00
In counties of less than 15,000 inhabitants, each, per annum	5 00

This tax shall apply to the shaving of notes, accounts, and judgments, as well as all other evidences of indebtedness. No broker paying a privilege tax as such, shall be required to pay this tax.

STOCKS AND BONDS, DEALERS IN.
(Tax same as dealers in securities.)

SHAVING NOTES.
(Tax same as dealers in securities.)

STREET CAR COMPANIES.
(See Section 6.)

SKATING RINKS.

In cities, towns or taxing districts of 20,000 inhabitants or over, each, per annum..	\$ 30 00
In cities, taxing districts or towns of from 10,000 to 20,000 inhabitants, each, per annum	15 00
In cities, taxing districts or towns of from 5,000 to 10,000 inhabitants, each, per annum	10 00
In cities or towns of less than 5,000 inhabitants, each, per annum	5 00

THEATERS.

In cities, taxing districts or towns of 40,000 inhabitants or over, each, per annum..	\$ 200 00
In cities, taxing districts or towns of from 20,000 to 40,000 inhabitants, each, per annum	100 00
In cities, taxing districts or towns of from 10,000 to 20,000 inhabitants, each, per annum	50 00
In cities, taxing districts or towns of from 5,000 to 10,000 inhabitants, each, per annum	25 00
In cities, towns or taxing districts of from 3,000 to 5,000 inhabitants, each, per annum	15 00
In cities, taxing districts or towns of less than 3,000 inhabitants, each, per annum	10 00

TOMBSTONE AGENTS OR DEALERS IN.

In counties of 50,000 inhabitants or over, each, per annum	\$ 15 00
In counties of from 30,000 to 50,000 inhab- itants, each, per annum.....	10 00
In counties of less than 30,000 inhabitants, each, per annum	5 00

TURNPIKES.

Each toll gate that collects toll both ways the same day, per annum.....\$	25 00
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UNDERTAKERS.

In cities, towns and taxing districts of 50,000 inhabitants or over, each, per annum	\$, 50 00
In cities, towns or taxing districts of from 20,000 to 50,000 inhabitants, each, per annum	30 00
In cities, towns or taxing districts of from 10,000 to 20,000 inhabitants, each, per annum	20 00
In cities, towns or taxing districts of under 10,000 inhabitants, each, per annum..	15 00
In any county in the State, outside of cities, towns or taxing districts, each, per annum	5 00

VARIETY THEATERS.

Each, per annum	\$ 200 00
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VEHICLES.

If run for profit within the limits of this State, without reference to the resi- dence of the owner, drays, express wagons, wagons or carts that run for profit in this State, other than those paying a privilege tax on the business in which said vehicles are employed, without reference to the residence of the owner, when drawn by one or more horses, each, per annum	\$ 1 00
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But this shall not apply to farmers hauling with their own teams from the country or country towns to railroad depots or from railroad depots to the country, country stores or towns.

Hacks or carriages, or wheeled vehicles carrying passengers, whether running regularly between stated points or not, that run for profit in this State, when drawn by one or more horses, each, per annum	\$ 2 50
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Provided, This shall not apply to the owner who drives his own dray.

Omnibuses and transfer wagons, each, per annum	5 00
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Hacks or other vehicles carrying express matter of any character or value, except those owned by firms, corporations or other individuals paying a privilege tax, and running, in connection with their business, shall each pay a tax of	5 00
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Provided, That livery, feed and sale stables which Livery stables not liable for vehicle tax. pay a privilege tax shall not be liable for a tax on their vehicles. And the above tax on vehicles applies to all hacks, etc., whether carrying United States mail or not, and hacks or other vehicles carrying express matter.

WAREHOUSES AND ELEVATOR COMPANIES.

In cities, towns and taxing districts of 8,000 inhabitants or over, each, per annum	\$ 50 00
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In cities, towns or taxing districts under 8,000 inhabitants, each, per annum...	25 00
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Warehouses not paying a tax as commission merchants in cities, towns or taxing districts of 8,000 inhabitants or over, each, per annum	25 00
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Less than 8,000 inhabitants	15 00
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This shall cover all taxes for selling of produce or other articles stored in the warehouse of such warehouseman, but shall not be so construed as to exempt commission merchants from taxation, as provided by law.

WATER COMPANIES.

In cities, taxing districts or towns of 35,000 inhabitants or over, each, per annum.\$	800 00
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In cities, taxing districts or towns of from 25,000 to 35,000 inhabitants, each, per annum	600 00
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In cities, taxing districts or towns of from 8,000 to 25,000 inhabitants, each, per annum	300 00
In cities, taxing districts or towns of from 5,000 to 8,000 inhabitants, each, per annum	100 00
In cities, taxing districts or towns of less than 5,000 inhabitants, each, per annum	25 00

**Non-applica-
tion.**

Nothing in this Act shall apply to towns of 1,200 and under. This tax shall not apply to municipal corporations owning and operating waterworks. That any and all parties, firms and corporations, exercising any of the foregoing privileges, must pay the tax as set forth in this Act for the exercise of said privileges, whether they make a business of it or not; and this Act shall not be so construed as to exempt any person, firm or corporation, whatever, exercising any of the foregoing privileges from the payment of the tax herein prescribed for the exercise of said privileges as herein provided, and except as provided in chapter 121 of the Acts of 1869 and 1870, excepting State and county fairs and their tenants; and it is hereby declared a misdemeanor for exercising any of the foregoing privileges without first paying the taxes prescribed for the exercise of the same, and all parties so offending shall be liable to a fine of not less than \$50 nor more than \$500 for each day such privilege is exercised without license; but this inhibition shall not apply to any person, firm or corporation engaged in interstate commerce. That all revenue collected under this Act shall be paid into the treasury as is required by section 765, M. & V. compilation of the Laws of Tennessee.

**To pay to
Comptroller.**

Sec. 6. *Be it further enacted*, That the following corporations shall pay directly to the Comptroller of the State, the following taxes on the following privileges:

EXPRESS COMPANIES.

(In lieu of all other taxes, except ad valorem tax).

If the lines are less than 100 miles for one or more packages other than interstate taken up at one point in this State and transported to another point in this State, and transported wholly within this State, per annum\$ 500.00

If the lines are more than 100 miles long,
if one or more packages other than interstate taken up at one point in this State and transported to another point in this State and transported wholly within this State, per annum \$ 2,000 00

SLEEPING CAR COMPANIES.

(In lieu of all other taxes, except ad valorem tax).

Each company doing business in this State for one or more passengers other than interstate taken up at one point in this State and delivered at another point in this State, and transported wholly within this State, per annum \$ 2,500 00

STREET CAR COMPANIES.

In cities, towns or taxing districts of 35,000 inhabitants or over, each, per mile, each track	\$ 12 00
In cities, taxing districts or towns of 20,000 to 35,000 inhabitants, per mile, each track	8 00
In cities, taxing districts or towns of 10,000 to 20,000 inhabitants, per mile, each track	4 00
In cities, taxing districts or towns less than 10,000 inhabitants, per mile, each track	2 00

TELEGRAPH COMPANIES.

(In lieu of all other taxes except ad valorem taxes).

Telegraph companies operating miles of telegraph wire in this State, for one or more messages, sent from one point in this State, and transmitted wholly within this State, and not sent in the service of the United States Government, per annum, as follows:

- (1). From 25 to 100 miles of telegraph wire \$ 25 00
- (2). From 100 to 300 miles of telegraph wire 300 00
- (3). From 300 to 1,000 miles of telegraph wire 1,000 00
- (4). For additional miles of telegraph wire over 1,000 miles, at the following rates:

(a) For the first 5,000 miles (over 1,000 miles), or any fractional part thereof, \$25.00 for each 100 miles of wire, or fractional part thereof.

(b) For each and every additional 100 miles of wire, or fractional part thereof, over 6,000 miles, \$10.00.

RAILROAD COMPANIES.

(Not paying an ad valorem tax to the State.)

Each company operating or controlling four hundred miles or more of railroad in this State, for taking up and transporting freight and passengers from one point to another in this State, per annum	\$ 15,000 00
Each company operating or controlling from one hundred to four hundred miles of railroad in this State, for taking up and transporting freight and passengers from one point in this State to another point in this State, per annum	7,000 00
Each company operating or controlling from twenty-five to one hundred miles of railroad in this State, for taking up and transporting freight and passengers to one point in this State from another, per annum	2,000 00
Each company operating and controlling less than twenty-five miles of railroad in this State, for taking up and transporting freight and passengers from one point to another point in this State, per annum	200 00
County and municipal tax.	
Each county through which any such railroad may run, may levy a tax of \$500 to be collected by the comptroller and turned over to the county levying same; and each incorporated town through which any such railroad may run, may levy a tax of \$250 to be collected by the comptroller and turned over to the town levying the same.	

RAILROAD TERMINAL COMPANIES.

In counties of 90,000 inhabitants or over, each, per annum	\$ 500 00
In counties from 70,000 to 90,000 inhabitants, each, per annum	400 00
In counties of from 50,000 to 70,000 inhabitants, each, per annum	300 00

TELEPHONE COMPANIES.

(In lieu of all other taxes except ad valorem).	
In cities, towns or taxing districts of 20,000 inhabitants or over, for each box, per annum	\$.75
In cities, towns or taxing districts of less than 20,000 inhabitants, for each box, per annum .....	.50

NEWS COMPANIES.

In lieu of all other privilege tax, for doing business other than interstate, per annum	\$ 500 00
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Sec. 7. *Be it further enacted,* That all insurance corporations shall pay direct to the Insurance Commissioner the following taxes, which shall be in lieu of all other privilege taxes; fire, life and all other insurance corporations of other States and foreign countries, except life and casualty corporations transacting business on the assessment plan, two and one-half per cent. on the gross premium receipts in this State, payable semi-annually, in January and July, on sworn returns, and life corporations of other States and foreign countries ceasing to transact new business in this State, shall continue to pay the tax herein provided on business in force, and until the same be terminated. Fire, life and all other insurance corporations of this State, except life and casualty corporations, transacting business on the assessment plan, and mutual fire corporations one and one-half per cent. on gross premiums in this State, payable semi-annually, in January and July, on sworn returns.

Tax on insurance corporations.

Assessment life and casualty corporations, whether organized under the laws of this State or some other State, or foreign countries, \$200 per annum, provided, however, that this shall not apply to purely fraternal orders or societies.

Assessment, life and casualty corporations.

Mutual fire companies that do business outside of the county in which they have their domicil, per annum.....\$ 150 00

Be it further enacted, That guarantee companies or associations doing business in Tennessee shall pay to the Treasurer of the State a privilege tax of \$200 per annum, in lieu of all other taxes, except that surety and guarantee companies organized under the laws of any government or State, other than the State of Tennessee

Guarantee companies.

shall also pay direct to the Insurance Commissioner, two and one-half per cent. on gross premium receipts, payable semi-annually, in January and July.

**Transfer of
realty.**

Sec. 8. *Be it further enacted,* That on all transfers of realty, there shall be levied and paid in lieu of all other taxes, a State tax of one dollar per thousand on the consideration, which shall in no case be less than the value of the property, which shall be collected by the clerk of the county court, and the county register is hereby required not to record said deed until the clerk certify that this tax has been paid.

**Building and
loan associa-
tions.**

Sec. 9. *Be it further enacted,* That every building and loan association, incorporated and organized under the laws of this State, shall pay to the treasurer direct a specified privilege license tax in lieu of all other taxes upon its capital actually paid in, whether derived from installment or any other class of stocks, which tax shall be paid as follows, and to be paid directly to the treasurer:

CAPITAL PAID IN.

Not more than \$10,000	\$ 15 00
\$10,000 and not more than \$25,000	37 50
\$25,000 and not more than \$50,000.....	75 00
\$50,000 and not more than \$100,000.....	112 50
\$100,000 and not more than \$150,000.....	150 00
\$150,000 and not more than \$200,000.....	225 00
\$200,000 and not more than \$250,000.....	300 00
\$250,000 and not more than \$300,000.....	375 00
\$300,000 and not more than \$350,000.....	450 00
\$350,000 and not more than \$400,000.....	525 00
\$400,000 and not more than \$450,000.....	600 00
\$450,000 and not more than \$500,000.....	675 00
Each additional \$100,000, or fractional part thereof	75 00

**To make
sworn returns**

Each association shall annually, on or before the first day of September, make a sworn return to the treasurer, showing the amount of capital of such association actually paid in, as shown by its books at the close of business on the 30th day of June next preceding, and shall, at the same time, pay the tax as provided above.

Each building and loan association organized under the laws of any other State or territory having stockholders in this State shall, annually on or before the first day of September, make sworn return to the treasurer direct, showing the amount of capital actually paid into said association by citizens of this State upon all classes of stock, as shown by its books at the close of

business on the 30th day of June next preceding, and at the same time pay the tax, as provided above, upon that part of its capital paid in by citizens of this State.

Sec. 10. *Be it further enacted*, That every corporation, joint stock company, or association, incorporated by or under any general or special law of this State, having capital stock divided into shares, shall pay to the Secretary of State, for the use of the State, which shall be reported to the State Comptroller quarterly, a tax for the privilege of organizing, or, after organization, for the increase of their capital stock, or for registration of their charters, as follows:

Corporations
and joint
stock compa-
nies.

Railroads of over 100 miles.....\$	100 00
Railroads of less than 100 miles.....	50 00
Street and dummy lines.....	50 00
Banks, building and loan associations, loan companies, trust companies, coal or coke companies, iron or steel com- panies	25 00
All other corporations	10 00

But this shall not apply to corporations for literary or religious purposes. The tax shall be due and payable upon the incorporation of said corporation, joint stock company or association, or upon the increase of the capital thereof, or upon registration of charter. And no such corporation, joint stock company or association shall have or exercise any corporate powers, until the said tax shall have been paid, and the Secretary of State shall not file or record any charter, certificate of incorporation, or articles of association, or certify or give any corporation, joint stock company or association its charter until the foregoing tax has been paid, and no such company incorporated by any act of the legislature shall go into operation, or exercise any corporate powers or privileges, until the said tax has been paid; and this Act shall not be so construed as to levy a tax on the incorporation of any school maintained by the public school fund of the State, or upon a purely and wholly religious corporation.

Literary and
religious cor-
porations ex-
empt.

Sec. 11. *Be it further enacted*, That hereafter any and all railroad companies consolidating the business of their roads, or making any transfer or sale of their property, so as to consolidate the property of two or more railroads, or any transfer or trade by which one railroad shall control the business of another road, shall pay to

Railroad com-
panies to pay
tax on consol-
idation or
transfers.

the State of Tennessee a privilege tax on transfer of one-tenth of one per centum on the amount of capital stock of such companies, after such transfer or consolidation; said amount to be collected by the Secretary of State, and by him paid into the treasury.

**Renewal of
licenses.**

Sec. 12. *Be it further enacted*, That a license issued to a firm may be renewed in case of the death of a member, or in case of the sale or transfer of the assets of the firm, without the repayment of the privilege tax for the unexpired term they were issued for.

**Legislative in-
tention.**

Sec. 13. *Be it further enacted*, That whenever the words "in lieu of all other taxes" occur in this Act, it is hereby declared to be the legislative intention, that county and municipal taxes are excluded.

**Taxes to be
paid; no ex-
emption.**

Sec. 14. *Be it further enacted*, That any and all parties, firms or corporations exercising any of the foregoing privileges, must pay the taxes as set forth in this Act for the exercise of said privileges, whether they make a business of it or not, and this Act shall not be so construed as to exempt any person, firm or corporation whatever, exercising any of the foregoing privileges, from the payment of the taxes herein prescribed for the exercise of said privileges except as herein provided, and except as provided in chapter 121 of the Acts of 1869 and 1870, exempting State and county fairs and their tenants, and it is hereby declared a misdemeanor for exercising any of the foregoing privileges without first paying the taxes prescribed for the exercise of said privileges, and all parties so offending shall be liable to a fine of not less than \$50 nor more than \$500 for each day they may transact such business; but this inhibition shall not apply to any person, firm or corporation engaged in interstate commerce.

**Penalty for
non-payment.**

**Federal cen-
sus.**

Sec. 15. *Be it further enacted*, That whenever in this Act the population of any county, city, town or taxing district is referred to, it shall be computed upon the Federal Census of 1890, or any subsequent Federal Census, the last one to govern in all cases.

**How revenue
is to be paid
in.**

Sec. 16. *Be it further enacted*, That all revenue collected under this Act shall be paid into the Treasury of the State, as is required by section 765, Milliken & Vertrees' compilation of the laws of Tennessee.

**Clerks to issue
distress war-
rants.**

Sec. 17. *Be it further enacted*, That the clerk of the county courts of the various counties of this State are hereby authorized and empowered, and it is hereby made their duty, upon the failure of any person to pay the tax herein provided, to issue a distress warrant, and enforce the collection of the same as in other cases.

Sec. 18. *Be it further enacted*, That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Repeal.

Passed April 7, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 3.

[SENATE BILL NO. 601.]

AN ACT to amend House Bill No. 566, of the Fiftieth General Assembly of Tennessee, entitled "A bill to be entitled An Act to provide revenue for the State of Tennessee and the counties there of," so as to increase the rate of ad valorem taxation.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 1 of said bill in the caption mentioned, being House Bill No. 566, be and the same is hereby so amended as to read as follows:

That the taxes on every one hundred dollars' worth of property shall be forty-five (45) cents for the year 1897 and for every subsequent year thereafter, thirty (30) cents of which shall be for State purposes and fifteen (15) cents for school purposes.

Rate of 45 cts.
fixed.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 4.

[SENATE BILL NO. 527.]

AN ACT to defray the current expenses of the Fiftieth General Assembly, and to defray the expenses of the State government for the next two years, commencing March 19, 1897.

Current ex-
penses.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That to defray the current expenses of the Fiftieth General Assembly, and to defray the current expenses of the State Government for two years, commencing March 19, 1897, the following appropriations are made for the following purposes, and none other, which are to be paid out of the treasury on the warrant of the comptroller, or so much thereof as may become necessary in the administration of the State Government, and the comptroller shall not issue his warrant upon the treasurer for any other or more money, except on accounts where the appropriations have been made by law.

CRIMINAL PROSECUTION.

(Cost accrued on behalf of the State.)

Fees—Clerks, magistrates, sheriffs, witnesses, etc.	\$200,000 00
Fees boarding prisoners	100,000 00
Fees boarding juries	20,000 00
Arresting fugitives	3,000 00

Provided, That the rewards for capturing escaped convicts shall be paid out of this fund upon the recommendation of the Prison Commissioners, in no case to exceed the sum of twenty-five dollars.

Lunatics to asylum	\$ 500 00
Supreme judges (5) at \$3,500 per annum..	35,000 00
Judges Court of Chancery Appeals (3) at \$3,500 per annum	21,000 00
Chancellors (12) at \$2,500 per annum....	60,000 00
Circuit judges (19) at \$2,500 per annum..	95,000 00
Criminal judges (4) at \$2,500 per annum..	20,000 00
Criminal judge (1) at \$1,250 per annum....	2,500 00
Attorney-General and Reporter's salary \$3,000 per annum	6,000 00
District Attorneys-General at \$2,500 per annum (19)	95,000 00
Funding Board expenses for books and bonds to be paid on an itemized ac- count, duly sworn to, which shall be filed with the comptroller, but on no account shall any traveling expenses be allowed.	

EXECUTIVE SALARIES.

Governor at \$4,000 per annum	\$ 8,000 00
Comptroller at \$3,500 per annum.....	7,000 00
Treasurer at \$3,500 per annum	7,000 00
Treasurer as Insurance Commissioner and Inspector of B. and L. Associations \$1,500 per annum	3,000 00
Secretary of State \$3,000 per annum....	6,000 00
Stenographer for the Governor \$720 per annum	1,440 00
Comptroller's chief and auditing clerk, who shall give \$5,000 guarantee bond, at 2,000 per annum.....	4,000 00
Additional clerk hire, comptroller's office, as follows, \$4,500 per annum.....	9,000 00
Treasurer's chief clerk at \$1,800 per annum	3,600 00
Treasurer's stenographer at \$720 per annum	1,440 00
Clerk Insurance Department provided by statute at \$1,800 per annum.....	3,600 00
Secretary of State's chief clerk at \$1,800 per annum	3,600 00

Additional clerk hire Secretary of State's office, provided the same shall be necessary in conducting business in office, at \$1,500 per annum.....	3,000 00
Private secretary, Governor's, at \$1,500 per annum	3,000 00
For type writing, briefs, opinions and depositions by Attorney General to be used only in State's work, and paid on certificate of the Attorney General...	250 00
Adjutant-General \$1,800 per annum, to be paid out of Military Appropriation...	3,600 00
Superintendents Hospitals Insane (3) \$1,900 per annum.....	11,400 00
State librarian salary at \$1,000 per annum.	2,000 00
Assistant librarian salary at \$500 per annum	1,000 00
Library expenses \$400 per annum, provided the same is necessary, accounts to be approved by supreme court....	800 00

OFFICERS PENITENTIARY SALARIES.

As provided by statutes Acts 1897; *Provided*, that a sufficient sum be, and is hereby appropriated out of any funds in the treasury, not otherwise appropriated, to employ an officer, and pay his expenses to convey to the State penitentiary the prisoners convicted in the various counties of the State, whose salary shall not exceed the sum of one hundred dollars per month.

Four executive officers' expense, telegraphing, for two years.....	\$ 300 00
Postage, for two years	900 00
Books, blank forms, stationery, Governor's office for two years.....	800 06
Books, blank forms, stationery, Secretary of State's office for two years.....	800 00
Books, blank forms, stationery, Treasurer's office for two years.....	800 00
Books, blank forms, stationery, etc., including forms for reports of various collecting officers, Comptroller's office, for two years	1,500 00

Provided, however, that should any office herein named or enumerated in any part of this Act be abolished by an Act of the General Assembly, then the appropriation herein made to pay the salary of such office shall cease, and the

appropriation herein made shall cease and be turned into the treasury for other purposes.

CAPITOL EXPENSES.

Fuel, water, lights, contingent repairs, to be paid upon itemized sworn account, said account to be sworn to by the superintendent of capitol and landscape gardener, \$4,000 per annum...\$	8,000 00
Engineer at Capitol at \$85 per month when needed.....	
Fireman at \$55 per month when needed, but only one shall be employed during months when steam heat is not needed	
Porter, Governor's and Secretary of State's offices, \$40 per month, appointed by the Governor and Secretary of State..	
Porter, Comptroller and Treasurer's offices, \$40 per month, appointed by Comptroller and Treasurer.....	
One porter for library, to be appointed by librarian, at \$35 per month.....	840 00
Landscape gardener \$1,200 per annum...	2,400 00
Night watchman \$1,000 per annum.....	2,000 00
<i>Provided</i> , that all the porters shall be under the charge of the landscape gardener, and be employed in looking after all the offices on the first floor.	
To establish electric light plant at the Capitol	2,500 00
<i>Provided</i> , that the Governor, Secretary of State, Treasurer and Comptroller shall deem necessary. No more of said appropriation shall be used than absolutely necessary.	
Supreme court and court of chancery appeals expenses, East, Middle and West, Tennessee, including pay of marshals, porters, salary special judges, stationery and handling judges' books.....	8,000 00
Law library at Nashville.....	500 00
For safe for supreme court clerk's office at Nashville	500 00

PUBLIC PRINTING.

Messages and reports various offices.....\$	3,000 00
Publishing Acts, journals, appendices, etc.	4,000 00

Assessment blanks	\$ 2,000 00
All to be audited by Printing Commissioners as now provided by law.	

COMMON SCHOOLS.

Superintendent's salary at \$1,995 per annum.	\$ 3,990 00
Clerk hire Superintendent Public Instruction's office, \$1,000 per annum.....	2,000 00
Traveling expenses of Superintendent Public Instruction \$500 per annum....	
Printing, stationery, etc., superintendent's office, \$4,000 per annum.....	8,000 00
Defraying expenses of State Normal Institutes	3,000 00
Interest on school fund.....	284,510 00
(The above appropriation shall be paid out of the public school fund.)	

STATE NORMAL COLLEGE.

State Normal College \$20,000 per annum.	\$ 40,000 00
<i>Provided</i> , the Chair of American History is continued for the two years for which this appropriation is made.	
Colored students \$3,300 per annum.....	6,600 00
Interest Spencer T. Hunt Fund	888 33

TENNESSEE INDUSTRIAL SCHOOL.

One hundred dollars per capita under pro rata as now allowed by law; <i>Provided</i> , that if more pupils are admitted from any one county than are allowed by said pro rata then the whole amount of said scholarship shall be paid by the county sending, payable quarterly.	
Two thousand dollars for insurance.....	\$ 2,000 00
For erection of building for small boys, five thousand dollars	5,000 00

TENNESSEE SCHOOL FOR THE BLIND.

One hundred and seventy-five (\$175.00) dollars per capita, for each inmate, said per capita allowance to cover all expenses, and payable quarterly, to be drawn out of the treasury on the sworn statements of the superintendent as to the number of scholars in the institu-	
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tion. The following sums are hereby appropriated: Seventeen hundred dollars to refund to Jno. M. Lea for repairs. Also \$900 for boiler paid for by Judge Lea; also \$580 to complete sewer; also \$500 for insurance; also \$200 for a cook range.

TENNESSEE SCHOOL DEAF AND DUMB.

One hundred and sixty-five (\$165.00) dollars per capita for each inmate, said per capita allowance to cover all expenses, and to be paid quarterly upon sworn statements of superintendent.

HOSPITAL INSANE, EAST TENNESSEE.

Two hundred and seventy-five patients at \$155 per capita, per annum, \$42,625..\$ 85,250 00

COLORED HOSPITAL INSANE, EASTERN DIVISION.

Seventy-five colored patients at \$155.....	\$ 23,250 00
One hundred patients, addition for six months of the year 1898.....	7,500 00
For completing colored asylum.....	1,200 00
For furnishing colored asylum.....	1,500 00
Repair fund, white and colored; eastern division	2,800 00
Addition to Lyon's View Hospital.....	25,000 00

HOSPITAL INSANE, MIDDLE TENNESSEE.

Three hundred and fifty patients at \$155 per capita, per annum, \$54,250.....	\$108,500 00
For extending main sewer and concrete floor for dairy	500 00
For fencing on farm.....	1,000 00
For general expenses	1,500 00
For insurance on buildings and furniture for three years.....	2,550 00

HOSPITAL INSANE, WEST TENNESSEE.

Five hundred patients at \$155 per capita, per annum, \$72,000.....\$144,000 00

That the following or so much thereof as may be necessary, be appropriated out of any monies in the State Treasury, and the Comptroller is authorized to

Western Hos-
pital Insane,
sundry appro-
priations.

draw his warrant on the Treasurer of the Western Hospital for the Insane for the following purposes and in the following amounts, to-wit: Seventeen hundred dollars (\$1,700.00) for furnishing the ward of the Colored Annex to said hospital; three hundred dollars (\$300.00) for furnishing the kitchen to said Annex; four hundred dollars (\$400.00) for painting roof of main building; thirty-eight hundred dollars and twenty-five cents (\$3,800.25) for insurance for the next three (3) years; two hundred and fifty dollars (\$250.00) for an electric clock; fifteen hundred dollars (\$1,500.00) for general improvements.

Providing, That no greater sum shall be charged for any county pay patient, in any of the hospitals for the insane than the appropriation herein made for State patients.

CONFEDERATE SOLDIERS' HOME.

Payable monthly \$8,500 per annum.....\$ 17,000 00

PENSION DISABLED SOLDIERS.

\$60,000 per annum, to be paid as provided,
Acts 1891\$120,000 00

STATE BOARD OF HEALTH.

Expenses and salaries.

Four thousand (\$4,000) dollars per annum is hereby appropriated for the use of the State Board of Health, to be expended for printing blanks, stationery and the expenses of the Board in attending quarterly meetings; eighteen hundred (\$1,800) dollars per annum of same shall be used for the salary of the secretary and executive officer, and one thousand (\$1,000) dollars per annum shall be used for salary of the clerk to the secretary, who shall be appointed by him, to be drawn monthly, upon their respective orders; and the further sum of six thousand (\$6,000) dollars is hereby appropriated to be used in case of human epidemic disease, upon approval of the Governor.

Texas fever quarantine.

The further sum of five thousand (\$5,000) dollars is hereby appropriated for the maintenance of the Texas I'ever Quarantine Line, and the suppression of communicable diseases among domestic animals, to be expended subject to the provisions as set forth in House Joint Resolution No. 31, which provides for this appropriation.

BUREAU AGRICULTURE STATISTICS, ETC.

Salary commissioner at \$2,500 per annum.	\$ 5,000 00
Expenses of department \$10,000 per annum, including clerical assistance,	
\$1,350 per annum	20,000 00
But none of this appropriation shall be used as long as there is any of the fund arising from fees for inspecting fertilizers remaining in the hands of the commissioner, and shall not exceed \$20,000, including fees on fertilizers; <i>Provided</i> , that the commissioner shall report quarterly to the comptroller the amount of fees received by him from the inspection of fertilizers.	
State geologist's salary at \$500 per annum.	1,000 00

BUREAU OF LABOR.

Salary commissioner \$1,800 per annum....	\$ 3,600 00
Salary clerk at \$1,200 per annum.....	2,400 00
Expenses at \$1,000 per annum, expenses to be itemized and sworn before paid...	2,000 00

RAILROAD COMMISSION.

Railroad Commissioners (3) at \$2,000 per annum	\$ 12,000 00
Secretary of Railroad Commission \$1,500 per annum	3,000 00
Expenses of Railroad Commissioners (3) \$1,000 each per annum.....	6,000 00
Expenses of Secretary of Railroad Commission \$1,000 per annum	2,000 00
Expenses of Board to be paid on sworn itemized statements as provided by law.	

MISCELLANEOUS ACCOUNTS.

Twelve hundred and fifty dollars each on account for John J. Vertrees, Dabney M. Scales and John M. Hickey, for services in the case of the United States vs. State of Tennessee.

A. J. Ewing doorkeeper two days at \$4....	\$ 8 00
Marshall & Bruce, printing and stationery	271 19
For arc lights in Capitol for use of Legislature	15 00

Timothy Dry Goods Co., carpet, matting, etc.	63 12
To R. P. McGinnis for three days' services as expert builder in examining the new penitentiary	15 00
Alfred Whitley, colored, hall porter, 99 days at \$2 per day	198 00
James Scudder, colored, hall porter, 75 days at \$2 per day.....	150 00
<i>Be it further provided,</i> "That \$300 be ap- propriated for Sunday school work in the penitentiary to be expended under the direction of the Chaplain," who will keep an itemized statement of same and report to the commissioners of the penitentiary.	
Costs paid clerk of the supreme court in the case of, the State ex. rel. vs. J. A. Har- ris, comptroller, et als.....	75 65
Marshall and Bruce Co., for printing brief in case of, the State ex. rel. vs. J. A. Harris, comptroller, et als	115 00
Brandon Printing Company	345 00
D. C. Scales, expenses under House Joint Resolution 25, 1895.....	1,200 00
S. C. Toof & Co., for printing report of committee appointed under Joint Resolution No. 25, 1895	396 00
McDonald Bros., Joint Resolution No. 27, 1897	397 55
Attorneys fees for Vertrees & Vertrees in case of State of Tennessee ex. rel. vs. Jas. A. Harris, comptroller, et als ...	1,000 00
Anderson's Constitutional Law.....	10 00
Shannon's Code	20 00
Overflow suf- fers. Five thousand dollars, or so much as is necessary, to be paid to the Governor and be expended by him in any manner he may see proper for the support and protection of citizens of Tennessee, suffering from the overflow of the Mis- sissippi River.	
Sundry appro- priations. House Joint Resolution No. 61, refunding to the Bureau of Labor the sum of \$491.70.	
To pay guards at Brushy Moun- tain under contract of building and purchasing committee with T. C. & I. Company, made October 5, 1894,	

\$545.80, but not to be paid until the accounts are itemized, sworn to, and audited by the Penitentiary Commissioners.

Publishing treasurer's quarterly report.....	1,800 00
Express charges on money from collecting officers	500 00
Tax aggregates	1,800 00
Supreme court reports	2,000 00
Publishing Acts in newspapers	400 00
Publishing Governor's Proclamation.....	200 00
Preservation Jackson tomb and dwelling six hundred dollars per annum.....	1,200 00

Maintenance
of convicts.

Sec. 2. *Be it further enacted*, That a sufficient sum be and is hereby appropriated out of any funds in the State treasury not otherwise appropriated to feed, clothe and guard or otherwise maintain the convicts of the State; *Provided*, that nothing shall be paid out of the general funds of the State so long as there is any money to the credit of the General Penitentiary Fund, after the payment therefrom of all debts contracted by the State on account of the penitentiary.

Sec. 3. *Be it further enacted*, That the Comptroller issue his warrant on the State Treasurer for interest due July 1, 1897; October 1, 1897; January 1, 1898; April 1, 1898; July 1, 1898; October 1, 1898; January 1, 1899, on the bonds comprising the State debt, as the same may be payable by statute.

Sec. 4. *Be it further enacted*, That the Comptroller issue his warrant on the State Treasurer for the payment of the interest due July 1, 1897; January 1, 1898; July 1, 1898; January 1, 1899; on bonds and certificates of indebtedness held by charitable, literary or educational institutions in this State, as same may be due by existing laws.

Sec. 5. *Be it further enacted*, That whenever the authorities of any State institution, including all hospitals for the insane, Tennessee School for Deaf and Dumb, Blind School, State Normal College, Tennessee Industrial School, Bureau of Agriculture and State Board of Health, or any other institution maintained in whole or in part by the revenue of the State, shall make requisition for money from the State Treasury on account of legislative appropriation, they shall forward to the Comptroller of the State duplicated, receipted, itemized vouchers for all moneys expended during preceding month, and before warrant can be drawn; and such vouchers shall be subject to inspection at all times; *Provided*, further, that it shall be unlawful and a mis-

Interest to
charitable
and educa-
tional institu-
tions.

Requisitions
for funds
must be ac-
companied by
vouchers, etc.

demeanor for the Comptroller of the State to issue any warrant for the purpose of providing for the pay of inmates of any charitable or educational institutions of the State, unless, at the time application is made for the same, a statement, verified under oath, made before some person competent to administer oaths, is filed in the office, showing the name of each inmate for whom pay is drawn, the residence and age of such inmate, date of admission into such institution, and the actual time such inmate has been in such institution during the period of time for which such pay is drawn, and no pay shall be allowed for any greater period than the time such inmate has been in such institution, and a receipted monthly payroll of all employees for the previous month furnished with said requisition and estimate.

Traveling expenses.

Sec. 6. *Be it further enacted*, That as to any claim or demand against the State for, or on account of, traveling expenses provided herein, and purporting to have accrued after the adjournment of the present General Assembly, it shall be unlawful for the Comptroller of the State to issue his warrant therefor, unless a statement is filed in his office showing the expense, specifically and by items, and that the same was necessary and actually disbursed and expended, which statement shall be verified by oath of claimant, and made before some person competent to administer an oath.

Commissioner of Agriculture to keep record of tags.

Sec. 7. *Be it further enacted*, That hereafter the Commissioner of Agriculture shall keep a record of, and shall account for, all fertilizer tags sold by him. That to do this, he shall have said tags printed and, if necessary, bound in suitable books, with coupons attached. Each tag shall be numbered, from No. 1 on up and the coupon shall be a corresponding number. All tags sold shall be charged in the books of said office, to the proper purchaser; the item to state the smallest and largest number of each lot (inclusive) bought and sold by said individual, or firm. Said coupons shall be retained by him, together with said record of sales, subject to inspection at all times. The cost of printing said tags and coupons shall be paid out of the fertilizer fund.

Claims to be itemized and sworn to.

Sec. 8. *Be it further enacted*, That it shall be unlawful for the Comptroller of the State of Tennessee to issue his warrant for any claim or demand against the State of Tennessee, unless the same is fully, specifically and exactly itemized, and also sworn to before some person competent to administer an oath; and the auditing or approval of such claim or demand by any officer of the State or any department thereof, shall be ineffectual

as against the above restrictions; *Provided*, that this clause shall not apply to fixed salaries.

Be it further enacted, That the sum of \$10,951.12 is *J. P. Fulcher* hereby appropriated to pay *J. P. Fulcher and Co.*, as provided in House Joint Resolution No. 114.

LEGISLATIVE EXPENSES.

Printing calendars, bills, roll calls, etc., for Senate ^{Legislative printing.} and House, to be approved by principal clerks of Senate and House, not to exceed \$2,000 for both Houses, and audited by Board Printing Commissioners as now provided by law.

Sec. 9. *Be it further enacted*, That the Comptroller ^{Per diem and mileage.} of the Treasury issue his warrant on the State Treasurer, in favor of each member of the Senate and House of Representatives and to each officer and employee of the same for the amounts stated to be due them respectively, in the following schedule, viz.:

NAMES OF SENATORS.	No. of Miles.	Mileage.	No. of Days.	Per Diem.	Total.
Bartlett, R. H.....	72	\$11 52	75	\$300	\$311 52
Bate, J. H.....	56	8 96	75	300	308 96
Boyd, A. W.....	190	32 00	75	300	332 00
Butler, R. R.....	824	131 84	75	300	431 84
Canada, L. T. M.....	464	74 24	75	300	374 24
Case, H. B.....	302	48 32	75	300	348 32
Claiborne, W. B.....	388	62 08	75	300	362 08
Clements, J. A.....	174	27 80	75	300	327 80
Cline, George W.....	316	50 56	75	300	350 56
Collinsworth, J. A.....	320	51 20	75	300	351 20
Dabbs, J. P.....	330	52 80	75	300	352 80
Ellis, C. C.....	90	14 40	75	300	314 40
Evans, J. E.....	100	16 00	75	300	316 00
Fitzgerald, W. M.....	610	97 60	75	300	397 60
Gilham, George.....	464	74 24	75	300	374 24
Gilmore, M. B.....	310	49 60	75	300	349 60
Guild, George B.....	.....	.....	75	300	300 00
Gunn, J. H.....	194	31 04	75	300	331 04
Hamner, L. D.....	416	66 56	75	300	366 56
Houk, John C.....	528	84 48	75	300	384 48
Hodges, J. N.....	392	62 72	75	300	362 72
Hurt, L. A.....	266	42 56	75	300	342 56
Keeney, L. C.....	614	98 24	75	300	398 24
Lea, S. B., Jr.....	78	12 48	75	300	312 48
Mann, Horace A.....	528	84 48	75	300	384 48
Parker, Chas. G.....	126	20 16	75	300	320 16
Smithson, W. B.....	160	25 60	75	300	325 60

NAMES OF SENATORS.	No. of Miles.	Mileage.	No. of days.	Per Diem.	Total.
Taylor, Arvell.....	572	91 52	75	300	391 52
Thomas, R. E	174	27 84	75	300	327 84
Tipton, W. S.....	362	57 92	75	300	357 92
Waddell, Seid.....	312	49 92	75	300	349 92
Whittaker, J. C.....	250	40 00	75	300	340 00

OFFICERS.					
Thompson, John, Speaker.....		75			450 00
Wills, Mann, Chief Clerk.....		75			450 00
Kirby, Jas., Assistant Clerk.....		75			450 00
Blair, C. T., Chaplain.....		75			200 00
Tansil, Miss Mamie, Eng'r. Clerk.....		75			450 00
Ingram, Mrs. Irene, As. En. Clerk.....		48			288 00
Morris, W. L., Sergeant-at-Arms.....		80			320 00
Ruth, Moody, Page.....		75			150 00
Hart, Winslow, Page.....		75			150 00
Caruthers, Jno. W., Doorkeeper.....		98			392 00
Woods, Ned, Porter.....		87			217 50
Buford, Martin, Porter.....		87			217 50

HOUSE OF REPRESENTATIVES.

NAMES OF REPRESENTATIVES.	No. of Miles.	Mileage.	No. of Days.	Per Diem.	Total.
Allen, J. H.....	150	\$24 00	75	\$300	\$324 00
Baggett, John	144	23 04	44	176	*199 04
Baird, Sam C.....	606	96 96	75	300	396 96
Baker, Tom H.....	210	33 60	75	300	333 60
Barton, Joshua	96	15 36	75	300	315 36
Beck, H. C.....	306	48 96	75	300	348 96
Blevins, T. C.....	498	79 68	75	300	379 68
Boyle, Pat.....	464	74 24	75	300	374 24
Brandon, John L.....	124	19 84	75	300	319 84
Brandon, W. M.....	200	32 00	75	300	332 00
Browning, J. T.....	740	118 40	75	300	418 40
Byrns, Joseph W.....			75	300	300 00
Caldwell, T. B.....	464	74 24	75	300	374 24
Carroll, J. K. P.....	154	24 64	75	300	324 64
Caruthers, John			75	300	300 00
Cassady, J. E.....	524	83 84	75	300	383 84

NAMES OF REPRESENTATIVES.	No. of Miles.	Mileage.	No. of Days.	Per Diem.	Total.
Caton, S. D.	250	40 00	75	300	340 00
Chambers, W. R.	60	9 60	75	300	309 60
Chenault, David	54.	8 64	75	300	308 64
Cook, W. L.	98	15 78	75	300	315 78
Cothran, John R.	568	90 88	75	300	390 88
Courtney, J. H.	114	18 24	74	296	314 24
Couts, A. L.	58	9 28	75	300	309 28
Craig, W. W.	376	60 15	75	300	360 15
Crossett, J. D.	544	87 04	75	300	387 04
Cummings, Oscar L.	304	48 64	75	300	348 64
Cummins, J. H.	200	32 00	75	300	332 00
DeLaunay, J. R.	512	81 92	75	300	381 92
Dulaney, W. A.	810	129 60	75	300	429 60
Duncan, John A.	540	86 40	75	300	386 40
Dykes, J. J.	292	46 72	75	300	346 72
Earthman, W. L.	16	2 56	75	300	302 56
Emmert, George W.	762	121 92	75	300	421 92
Essary, E. W.	254	40 64	75	300	340 64
Estes, P. M.	.	.	75	300	300 00
Ewell, J. L.	164	26 24	75	300	326 24
Farabough, W. W.	233	36 12	75	300	336 12
Fields, R. C.	22	3 52	75	300	303 52
Finley, Thomas	200	32 00	75	300	332 00
Flaniken, C. W.	538	86 08	75	300	386 08
Fuqua, W. J.	260	41 60	75	300	341 60
Graham, J. M. H.	132	21 12	17	68	89 12
Green R. H.	550	88 00	75	300	388 00
Gribble, Isham G.	244	39 04	75	300	339 04
Harris, J. P.	360	57 60	75	300	357 60
Harwell, E. T.	178	28 48	75	300	328 48
Hill, A. E.	.	.	75	300	300 00
Hill, J. A.	494	79 04	75	300	379 04
Hughes, M. R.	100	16 00	75	300	316 00
Hurt, George P.	350	56 00	75	300	356 00
Hutchison, J. H. C.	490	78 40	75	300	378 40
Jarvis, E.	260	41 60	75	300	341 60
Johnson, J. D.	376	60 16	75	300	360 16
Johnson, T. B.	8	1 28	75	300	301 28
Johnson, D. M.	106	16 96	75	300	316 96
Kelso, F. M.	250	40 00	75	300	340 00
Kimbrough, G. W.	478	76 48	75	300	376 48
Kinney, W. M.	346	55 36	75	300	355 36
Leabow, Isham G.	644	103 04	75	300	403 04
Lyle, Berry	132	21 12	75	300	321 12
Marshall, J. K. P.	360	57 60	75	300	357 60
Matthews, W. J.	210	33 60	75	300	333 60
Mitchell, J. M.	450	72 00	75	300	372 00
Monteverde, Frank	464	74 24	75	300	374 24
Mynatt, R. A.	540	86 40	75	300	386 40
Norfleet, Brooks	464	74 24	75	300	374 24
Orchi, J. Arnold	464	74 24	75	300	374 24
Ottenville, F., Sr.	.	.	75	300	300 00
Parton, W. A.	580	92 80	75	300	392 80

NAMES OF REPRESENTATIVES.

	No. of Miles.	Mileage.	No. of Days.	Per Diem.	Total.
Patterson, Riley.....	370	59 20	75	300	359 20
Perry, W. A.....	354	56 64	75	300	356 64
Pettibone, A. H.....	678	108 48	75	300	408 48
Phillips, A. T.....	168	26 88	75	300	326 88
Porter, J. D.....	466	74 56	75	300	374 56
Price, W. N.....	530	84 80	75	300	384 80
Priestly, J. M.....	300	48 00	75	300	348 00
Redman, C. C.....	66	10 56	75	300	310 56
Rogers, Jesse L.....	540	86 40	75	300	386 40
Rowan, S. P.....	558	89 28	75	300	389 28
Schidler, W. L.....	379	60 64	75	300	360 64
Scott, J. N.....	404	64 64	75	300	364 64
Springer, J. A.....	186	29 76	75	300	329 76
Smith, W. A.....	130	20 80	75	300	320 80
Smith, Munford.....	122	19 52	75	300	319 52
Stockard, W. J.....	170	27 20	75	300	327 20
Stone, E. N.....	280	44 80	75	300	344 80
Thompson, T. Leigh.....	130	20 80	75	300	320 80
Thompson, A. P.....	432	69 12	75	300	369 12
Toney, J. F.....	770	123 20	75	300	423 20
Vineyard, W. A.....	574	91 84	75	300	391 84
Wade, G. W.....	304	48 64	75	300	348 64
Walker, I. J., Jr.....	424	67 84	75	300	367 84
Walker, Jas. A.....	644	103 04	75	300	403 04
Walker, W. L.....	170	27 20	75	300	327 20
Warner, Willard.....	310	49 60	75	300	349 60
Webb, Andrew.....	649	103 84	75	300	403 84
Williams, J. D.....	690	110 40	75	300	410 40
Woodlee, L. V.....	240	38 40	75	300	338 40
Woods, J. D.....	404	64 64	75	300	364 64

HOUSE OFFICERS.

Fitzpatrick, M. C., Speaker.....	100	16 00	75	450	466 00
Cave, R. Lin, Chaplain.....	.....	.....	75	.....	200 00
Folk, Reau E., Chief Clerk.....	.....	.....	75	.....	450 00
Dunlap, Porter, Assistant Clerk.....	.....	.....	75	.....	450 00
Adams, E. E., Journal Clerk.....	.....	.....	75	.....	450 00
Lee, Miss Nora, Engrossing Clerk.....	.....	.....	75	.....	450 00
Stockard, Miss Etta, Asst. En. Cle'k.....	.....	.....	68	.....	408 00
Cole, Chas. H., Sergeant-at-Arms.....	.....	103	.....	.....	412 00
Carr, N. E., Ass't Sergeant-at-Arms.....	.....	75	.....	.....	300 00
Shelton, Ben G., Doorkeeper.....	.....	.....	75	.....	300 00
Morris, Scott, Porter.....	.....	.....	39	.....	97 50
Muirhead, Andrew, Porter.....	.....	.....	77	.....	192 50
Martin, Sylvanus, Porter.....	.....	.....	39	.....	97 50
Drake, J., Porter Water Closet.....	.....	.....	40	.....	100 00
Thompson, R., Por. Water Closet.....	.....	.....	75	.....	187 50
McCaully, Will, Porter.....	.....	.....	64	.....	160 00
Johnson, Jake, Porter.....	.....	.....	40	.....	100 00
Davis, T., Porter Water Closet.....	.....	.....	35	.....	87 50

Sec. 10. *Be it further enacted*, That whenever there is within the borders of the State an insurrection, riot, or violence of any kind, the magnitude of which so threatens the peace and dignity of the State as to make it necessary for the Governor to call out the militia, or call to their aid the sheriffs of the State to suppress same, in accordance with the provisions of Chapter 8, Acts of 1891, Extra Session, the Governor shall have the right to purchase all supplies, pay for the maintenance of the militia and the posses, and shall draw upon any funds in the treasury for that purpose.

Sec. 11. *Be it further enacted*, That the chief clerk of the House be directed to remain a sufficient time after the adjournment of the General Assembly to file properly the papers of the House with the Secretary of State, to re-copy Journal of the House for the public printer, read the proof, superintend the printing of the House Journal and make index to same, for which the sum of fifteen hundred (\$1,500) dollars is hereby appropriated and for such services the comptroller is authorized to issue his warrant on the treasurer for said sum, in favor of said clerk; and that the assistant clerk shall remain and assist the chief clerk in re-copying the House Journal and for such services he shall be allowed seven hundred (\$700) dollars, and the comptroller is authorized to draw his warrant in favor of said clerk when he shall have completed said work.

Sec. 12. *Be it further enacted*, That the chief clerk of the Senate be and is hereby authorized and directed to remain a sufficient time after the adjournment of the General Assembly to file properly the papers of the Senate with the Secretary of State, to copy the Journal for the public printer, read proof, superintend the printing of the same and make the index to the printed Journal, and to make a final calendar for which the sum of twelve hundred dollars is hereby appropriated for such service, and the comptroller is authorized to issue his warrant on the State Treasurer for said sum in favor of said clerk; and that the assistant clerk shall remain and assist the clerk in re-copying the Senate Journal, and for such service he shall be allowed five hundred dollars, and the Comptroller is hereby authorized to issue his warrant on the Treasurer for said amount when the work is completed.

Sec. 13. *Be it further enacted*, That the following appropriations are hereby made to pay the per diem of the members of the Educational Committee, and to defray the expenses of the same, and the Comptroller is author-

Educational
Committee.

ized to issue his warrant on the State Treasurer for the following amounts, to-wit:

HOUSE.

Allen, J. H., 15 days.....	\$ 60 00
Hill, J. A., 15 days	60 00
Johnson, D. M., 15 days	60 00
Kelso, F. M., 15 days	60 00
Norfleet, Brooks, 15 days	60 00
Stone, E. N., 15 days	60 00
Price, W. N., 15 days	60 00
Expenses	283 86

SENATE

Hamner, L. D., 15 days	\$ 60 00
Clement, J. A., 15 days	60 00
Bate, J. H., 15 days	60 00

Also Committee on Charitable Institutions.

HOUSE.

Johnson, J. D., 18 days	\$ 72 00
Wade, G. W., 18 days	72 00
Wood, J. D., 18 days	72 00
Craig, W. W., 20 days	80 00
Hill, A. E., 18 days	72 00
Harwell, E. T., 18 days	72 00
Stockard, W. J., 18 days	72 00
Baker, T. H., 18 days	72 00

SENATE.

W. L. Morris, Sergeant-at-Arms, 18 days....	\$ 72 00
Claiborne, W. B., 18 days	72 00
Collinsworth, J. A., 18 days	72 00
Oline, Geo. W., 18 days	72 00
Mann, Horace A., 18 days	72 00
Dabbs, J. P., 18 days	72 00
Expenses	658 75

Also Penitentiary Committee.

HOUSE.

Farabough, W.W., 23 days	\$ 92 00
Kinney, Wm., 23 days	92 00
Cook, W. L., 23 days	92 00
Brandon, Jno. L., 23 days	92 00
Priestly, J. M., 23 days	92 00
Hughes, M. R.	92 00
Baird, Sam C.	92 00

SENATE.

Smithson, W. B.	\$ 92 00
Hodges, J. M.	92 00
Parker, Chas. G.	92 00
Keeny, L. C.	92 00
Expenses	1,063 71
Also Agricultural Committee.	

HOUSE.

Chenault, David, 7 days	\$ 28 00
Courtney, J. H., 6 days	24 00
Earthman, W. L., 6 days	24 00
Harris, J. P., 6 days	24 00
Fields, R. C., 6 days	24 00
Walker, James A., 6 days	24 00
Redman, C. C., 8 days	32 00

SENATE.

Lee, S. B., Jr., 7 days	\$ 28 00
Whitaker, J. C., 8 days	32 00
Hurt, L. A., 6 days	24 00
Thomson, R. E., 6 days	24 00
Expenses	158 85
Also Committee Investigating Comptroller and Treasurer's offices.	

HOUSE.

Chambers, W. R., per diem, 23 days	\$ 92 00
Chambers, W. R., expenses	34 50
Jarvis, E., per diem	92 00
Jarvis, E., expenses	34 50
Brandon, W. M., per diem	92 00
Brandon, W. M., expenses	34 50

EXPENSES.

Also Committee Investigating Comptroller and Treasurer's offices.

HOUSE.

Chambers, W. R., per diem, 23 days	\$ 92 00
Chambers, W. R., expenses	34 50
Jarvis, E., per diem	92 00
Jarvis, E., expenses	34 50
Brandon, W. M., per diem	92 00
Brandon, W. M., expenses	34 50

EXPENSES.

C. Flisher, expert accountant, 83 days at \$6..	\$ 498 00
W. L. McFarland, accountant, 83 days at \$6..	498 00
Miss Rowena Hurst, stenographer, 10 days at \$4	40 00
F. M. Paul, stationery and printing.....	8 75
Postage	2 00
Miss Rowena Hurst, copying report of experts	4 50
Also Sub-Committee Finance Ways and Means	
H. J. R.	53 00

.. HOUSE.

Caldwell, J. B., per diem	\$ 92 00
Johnson, J. B. per diem	92 00
Johnson, J. B., expenses	34 50
Mynatt, E. F., per diem	46 00
Mynatt, E. F., expenses	17 25
Rogers, Jesse L., per diem	46 00
Rogers, Jesse L., expenses	7 25

SENATE.

Waddell, S., per diem	\$ 92 00
Waddell, S., expenses	34 50
Case, H. B., per diem	92 00
Case, H. B., expenses	34 50
Ellis, C. C., per diem	92 00
Ellis, C. C., expenses	34 50
Miss Rowena Hurst, stenographer	60 00
Also Committee to Investigate Fulcher & Co. claims.	

HOUSE.

Byrns, Jos. W., 6 days	\$ 24 00
Estes, P. M., 6 days	24 00
Rowan, S. P., 6 days	24 00

LEGISLATIVE EXPENSE—MISCELLANEOUS.

Sec. 14. *Be it further enacted*, That the comptroller issue his warrant on the treasurer for the following amounts in favor of the following parties respectively under the authority cited:

H. J. R. 84—East Tennessee Land Co., and others to be charged penitentiary fund	\$ 9,260 00
Do. 101—Penitentiary Commissioners....	36,867 14
House Resolution 48—James Hays Porter.	10 00

II. R. 6—Chas., Cole, S. A., stamps for members	500 00
H. R. 4—A. J. Ewing	32 00
H. R. 3—Wm. S. Morgan, stationery, etc.	726 40
H. R. 10—Scott Morris	10 00
H. R. 10—Ed. Birdsong	10 00
H. R. 51—J. K. P. Williamson	85 50
H. R. 61—A. J. Warren	50 00
S. J. R. 25—Furnishing Governor's office..	400 00
S. J. R. 35—For tools to build road from Lebanon Turnpike to Confederate Soldiers' Home	200 00
S. J. R. 38—Coke ovens Brushy Mountain Mines to be charged Penitentiary fund	13,500 00
S. J. R. 6—Per diem and Mileage Presidential Electors	768 00
S. J. R. 10—Divine Services Confederate Soldiers' Home	150 00
S. J. R. 24—E. A. Brooks, sheriff.....	35 80
S. J. R. 20—Trustee of Scott County....	598 79
S. J. R. 19—Expenses Inauguration of Governor, carriages \$27, extra chairs \$20, floral decoration \$13, flannel for cartridges \$2.15, badges \$2, sundries \$20.65	84 80
H. J. R. 99—For improvements of Capitol	300 00
H. R. 12—Secretary of State, two copies each Shannon Code and Anderson's Constitutional Law for Library.....	30 00
S. R. 7—S. A. of the Senate for stamps for members	155 00
Do. 19—Repairing water cooler	6 00
Do.—Podge Pillow, porter	27 50
Richard Burnley, porter	17 50
Ollie Williams, fixing clerk's desk.....	1 50
For repairs in the office of the supreme court clerk	240 00
J. A. Willamette, stenographer, voucher 1	243 15

Sec. 15. *Be it further enacted*, That there be appropriated from the State Treasury a sufficient sum, not to exceed twenty-five dollars, to pay posse summoned by the Sheriff of Davidson County under orders of the Governor, and who served and returned their guns, or who can show good reason for not returning their guns, for three days' services at the same rates as allowed militia, to be paid by Comptroller's warrant on State Treasurer on the certificate of the Adjutant-General as to each person entitled.

To pay posse,
Davidson
County.

Sec. 16. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved April 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 5.

[SENATE BILL NO. 39.]

AN ACT to provide just and equitable laws for the assessment and collection of revenue for State, county and municipal purposes whereby revenue is collected from the assessment of railroad, telegraph and telephone properties in the State of Tennessee.

Office created. Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the office of State Tax Assessors is hereby created with the powers and duties hereinafter prescribed.

Appointment and qualification. It shall be the duty of the Governor, on or before the first Monday in May, 1897, and biennially thereafter to appoint three freeholders, being citizens of the State of Tennessee, neither of whom shall be interested in, nor connected in any manner with the management of any railroad, telegraph or telephone company, and shall commission them as State Tax Assessors, who shall hold their office for a period of two years from the first Monday in May, and until their successors are appointed and qualified; *Provided*, said appointments shall not be made if a railroad commission shall be created at the present session of the General Assembly authorizing and requiring the appointment of three railroad commissioners (other than State officers) with salaries attached, and

Proviso.

in that event, said railroad commissioners shall ex-officio constitute the "State Tax Assessors" of railroads, and shall be authorized and required to perform all acts, duties, etc., prescribed by this Act, without other salary or compensation than that allowed under the Act creating a railroad commission.

Said assessors shall, before entering upon the discharge ^{Oath.} of their duties, respectively take and subscribe to an oath before a judge of the State of Tennessee, (who shall certify the same to the Secretary of State for preservation) that they will honestly, faithfully and without fear, favor or partiality, discharge all the duties imposed upon them by law. They shall be paid for their services the ^{Compensation} sum of six (\$6.00) dollars per day while engaged in the discharge of their duties, together with actual travelling expenses, verified by affidavit, all of which shall be paid by warrant issued by the comptroller; *Provided*, that no expenses, other than office materials, shall be charged or paid during the time said assessors are engaged in the discharge of their duties at the Capitol.

On the first Monday in May after their appointment ^{Organization.} and qualification, said assessors shall meet at the State Capitol and organize by selecting one of their number president, and selecting a secretary, who shall be paid for his services the sum of four (\$4.00) dollars per day during the time he is engaged in the discharge of the duties herein imposed upon him.

Said assessors shall not be paid for more than ninety ^{Pay limited.} (90) days' service unless otherwise directed by the Governor, who is authorized to direct said assessors to continue in the further discharge of their duties for a period not exceeding sixty (60) days during their term of office.

That any two of said assessors shall be, and constitute ^{Quorum.} a lawful Board of Assessors and may do and perform all the duties enjoined upon them by this Act, and they may jointly and singly examine any property herein-after required to be assessed by them.

Sec. 2. *Be it further enacted,* That it shall be the duty ^{Corporations to file schedules.} of the owners of any railroad, telegraph or telephone property in the State of Tennessee, to file with the Comptroller of the State on or before the first day of May, 1897, and biennially thereafter on or before said date the following schedules:

The schedule required of the owner of any railroad ^{Railroad schedules.} property engaged in the business of common carriers, shall contain a statement of all its property, real, personal and mixed, owned or leased by such companies, set-

ting forth therein the length in miles of its entire road bed, switches, and sidetracks, showing the number of miles lying in this State, in each county of this State, and each incorporated town in this State, and the value of the whole, the amount of the capital stock, bonded debt, the gross annual receipts of the preceding fiscal year, the number of cars, their classes and value, the number of engines and their value, the location, description, and value of all depot buildings, warehouses and other real estate, where located, and all real, personal and mixed property belonging to the company not before enumerated, together with its value.

**Telegraph
and telephone
schedules.**

The schedule required of the owners of telegraph and telephone properties shall contain a complete statement of the number of miles of lines of wires of its entire property, and showing how many miles thereof are in this State, and in each incorporated town and county, together with the value of the whole; the total number of instruments in use in this State and their value, the number of batteries, and their value, the capital stock, the gross receipts from the business in this State during the preceding fiscal year; and the location, value, and description of all other property, real, personal and mixed, in this State.

**Schedules to
be verified.**

Sec. 3. *Be it further enacted,* That said schedules shall be verified by the affidavit of the owner or receiver of any such property, and if owned by a corporation or joint stock company, the president or secretary shall make such affidavit; and said schedule shall be filed with the Comptroller of the State within the time above prescribed; and the owner of any such property refusing or failing to file said schedule shall be deemed to have waived the mode and manner of ascertaining the value of such property, and shall not be permitted to be heard in opposition to the valuation fixed upon such property by said State Tax Assessors, and shall in addition, be liable to a penalty of \$1,000, and it shall be the duty of the Attorney General of the State to sue for and collect the same before any court of competent jurisdiction in the same manner as any other debt, penalty, or forfeiture is now collected by law.

**Comptroller to
furnish sched-
ules.**

Sec. 4. *Be it further enacted,* That said State Tax Assessors shall receive from the comptroller the schedules fixed, immediately upon their organization, and it is hereby made the duty of the comptroller to deliver the same to said State Tax Assessors, and they shall immediately proceed to ascertain the value of said property for taxation.

Sec. 5. *Be it further enacted*, That said State Tax Assessors, in arriving at the valuation of said property, shall have in view, and look to, the capital stock, the corporate property, franchises of each company, and the gross receipts; and the market value of the shares of stock and bonded debt; and to ascertain these facts they are hereby invested with the power to summon before them any person or persons and call for any books, administer oaths, and examine any such person or books touching any matters deemed necessary to enable them to arrive at the correct value of such property; and they may issue summons to any county in the State to be executed by the sheriff of such county.

Any person so called on to testify shall be guilty of perjury, if he shall testify falsely; and any person failing to attend when summoned, shall be guilty of a misdemeanor punishable by fine of \$100 and thirty days in jail.

Sec. 6. *Be it further enacted*, That the road of any railroad property shall include all said tracks, switches, bridges, tressles, ties, rails and superstructure of every kind; that the line of any telegraph and telephone company shall include all wires, poles, instruments and rights of way.

Sec. 7. *Be it further enacted*, That the roadbed, rolling stock, franchises, choses in action and personal property of a railroad property having no actual situs, shall be known as distributable property and shall be valued separately from the other property; and after ascertaining the total value of such distributable property wherever situated, and after having deducted from this value \$1,000, said assessors shall divide the remainder by the number of miles of the entire length of the road, and the result shall be the value per mile of such distributable property for the purpose of taxation; and the value per mile of such distributable property shall be multiplied by the number of miles in this State, and the product thereof shall be the sum to be assessed against such property for State purposes; and the value per mile so ascertained shall be multiplied by the number of miles in each county or incorporated city, and the product shall be the amount to be assessed upon such property by said counties and incorporated towns respectively.

Sec. 8. *Be it further enacted*, That the depot buildings and other property, real, personal and mixed, having an actual situs, shall be known as the localized property of such railroad, and shall be valued separately accord-

Valuation of
property, how
ascertained.

Itemized prop-
erty.

Distributable
property.

Localized
property.

ingly as the same may be located in any of the counties or incorporated towns in this State.

Proceedings to be kept. Sec. 9. *Be it further enacted,* That it shall be the duty of the secretary of said assessors to transcribe into a well bound book the entire proceedings of said assessors to be approved and signed by them each day.

The secretary shall carefully preserve and file away all reports, documents and proof taken and used by said assessors.

Additional proof. Sec. 10. *Be it further enacted,* That said assessors shall in addition to the schedules hereinbefore required, take such additional proof and require such additional information of the value of any property to be assessed by them as may be deemed proper, but such additional evidence shall be reduced to writing and an opportunity afforded, if desired, to the owner of any property to submit additional evidence or counter evidence to that acquired by said assessors, and the records of the assessors shall at all times be opened to inspection to the owner or owners of any property assessable under the provisions of this Act.

Assessments to be completed, when. Sec. 11. *Be it further enacted,* That said assessments shall be completed on or before the first Monday in August, and within ten days from the first Monday in August the owner of any property assessed may appear and file exceptions to said assessments, together with such evidence as they may desire to submit as to the value of the property assessed; and at the expiration of said ten days said assessors shall re-assemble and examine such additional evidence and exceptions as may have been filed and change the valuation accordingly; on or before the first Monday in September said State Tax Assessors shall file with the comptroller the assessments made by them, together with all other records of every kind and character.

Board of Equalization. Sec. 12. *Be it further enacted,* That the Governor, Treasurer and Secretary of State are hereby constituted a Board of Equalization of which the Governor shall be chairman, and the Secretary of State, secretary, and within three days after the comptroller shall have received the assessments and records from said State Tax

Duty and powers. Assessors, he shall deliver the same to the Governor and said Board of Equalization shall proceed to examine said assessments, so made by the assessors, and they are hereby authorized to increase or diminish the valuation placed upon any property valued by said assessors, and are further authorized to require of said assessors any additional evidence touching any one or more of the

properties assessed, and shall consider such additional evidence so furnished by said assessors in fixing the correct value of any property so assessed, and said assessments shall not be deemed complete until corrected and approved by said Board of Equalization; and the Governor is hereby authorized to call together said assessors at any time to perform the duties imposed upon them.

Sec. 13. *Be it further enacted*, That on or before the third Monday in October said Board of Equalization shall certify to the comptroller the valuation fixed by it upon each property assessed under this Act, and the action of the Board of Equalization in fixing the valuation upon such property, shall be conclusive and final and the valuation so fixed shall be assessed against said property and the taxes due thereunder be paid.

Sec. 14. *Be it further enacted*, That as soon as the comptroller shall have received said valuations from the Board of Equalization, he shall ascertain the amount of taxes due the State from the owner of each property assessed and notify the owner of the same by letter or otherwise, and he shall certify to the county court clerk of each county in which any of such property lies the amount to be taxed in said counties respectively for county purposes; and likewise to the mayor of any incorporated town the amount to be taxed by such town.

Sec. 15. *Be it further enacted*, That the taxes so assessed in behalf of the State, counties and cities shall be a first lien upon the property from the 10th of January of the year for which the taxes are assessed, and they shall be due and delinquent as all other ad valorem taxes.

Sec. 16. *Be it further enacted*, That the taxes so assessed on behalf of the State shall be collected by the comptroller and paid into the State Treasury as soon as received by them, and if the same shall become delinquent he shall issue distress warrants against the owner of any such property to any sheriff in the State whose duty it shall be to collect the same and make a return thereof within thirty days; and if the taxes shall not be collected by the sheriff, it shall be the duty of the comptroller to advertise said property for a period of thirty days by weekly publications in a newspaper published in the city of Nashville, Tennessee, and at the expiration of such time sell at the court-house door, said property for cash, free from the equity of redemption, and execute to the purchaser a deed or deeds to the property so sold, and after reserving the expenses of such sale and the taxes, together with 6 per cent. interest from the

To certify valuations to the Comptroller.

Comptroller's duties.

Taxes a first lien.

Collection and disposition of taxes.

time the same became delinquent, hold the remainder subject to the order of the owner of such property so sold.

County and city taxes.

Sec. 17. *Be it further enacted*, That the taxes due to any county or city shall be collected as any other county or city taxes may be collected by law and at the rate fixed by such county or city.

Time and mode of assessments.

Sec. 18. *Be it further enacted*, That said assessments shall be made biennially, beginning with the year 1897.

Sec. 19. *Be it further enacted*, That the State Tax Assessors shall not assess any other telephone and telegraph property except the lines of wire, poles, instruments, batteries, etc., but real estate and personal property having an actual situs shall be assessed by regular county and city assessors.

Errors and omissions in assessments, how corrected

Sec. 20. *Be it further enacted*, That if at any time it shall appear to the satisfaction of the Governor of Tennessee that any railroad, telegraph or telephone company is inadequately assessed, or that its property has been omitted from taxation, or any new line has been contracted, it shall be his duty, and he shall have the power to convene the said Board of Assessors to make the proper assessment, and they shall have the power to so do, and their assessment shall go to the Board of Equalizers as upon appeal upon the record, as is provided in cases of assessment in the first instance. The Board of Equalizers shall examine and act upon such record as soon as practicable and certify their final action to the comptroller, the correction of the taxes so assessed to be then proceeded with according to the regular course; and neither the Comptroller of the Treasury nor any other officer than said Board of Assessors shall have the power or authority to back-assess or assess any railroad, telephone or telegraph company.

Repeal.

Sec. 21. *Be it further enacted*, That all laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 6.

[HOUSE BILL NO. 41.]

AN ACT to enable the incorporated towns and cities in Tennessee to sue, in their corporate name, in the Chancery Courts for municipal taxes assessed on real estate, to enforce the lien for same by sale of the land assessed, and, in such suit, to make the owners of as many as twenty-five distinct parcels of land defendants

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be lawful for any incorporated city or town in this State to sue in the chancery court of the county in which such city or town is located for taxes due said municipality upon assessments laid upon real estate within the boundaries of the same, whenever said taxes are past due and unpaid. The suit shall be by bill and shall be conducted as other suits in chancery and in such suit may be included as many as twenty-five distinct pieces or tracts of land, the owners thereof being made defendants to the bill. And such cause shall not be subject to objection for misjoinder by reason of the distinct interests the several defendants have in the property proceeded against.

Can bring suit
in Chancery
Court.

Sec. 2. *Be it further enacted,* That should any person interested pay, after bill filed, and before sale of the land, to the attorney representing the municipality, or such other person as may be designated by the municipality to receive it, the amount of taxes sued for, and interest thereon, it shall be the duty of the attorney aforesaid to dismiss the suit as to the persons and property included in said payment, provided, the person so paying the taxes shall pay his just proportion of the cost accrued in said cause to the date of payment.

Payment be-
fore sale.

Sec. 3. *Be it further enacted,* That suit shall not be brought under the provisions of this Act, until the collecting officer shall have made due return to the corporate authorities of such delinquent taxes and that there is no personal property out of which to make the same; *Provided,* that publication be made for four consecutive weeks in a newspaper published in said corporate town or city, or if no newspaper is published in said city or town, then in a newspaper published nearest to said municipality, which publication shall contain the

Suit, when
brought, and
publication.

name or names of delinquents and the amount due from each.

Judgment or decree.

Sec. 4. *Be it further enacted*, That the court in which such suit is brought may proceed to judgment or decree against all defendants who do not settle the taxes due as provided in section 2, and enforce said judgment or decree and the lien for the taxes due by sale of the lands upon which such taxes are assessed under the rules applicable to other chancery sales.

Fees.

Sec. 5. *Be it further enacted*, That the same fees for clerks and other officers as are set out and allowed in the Acts of 1889 providing for collection of delinquent State and county taxes, be allowed the clerk and other officers, under this Act.

Sec. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 1, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 7.

[HOUSE BILL NO. 80.]

AN ACT to repeal Sections 60, 61, 62, 63 and 64 of an act approved May 14, 1895, being Chapter 120 of the regular session of 1895, entitled "An Act to provide more just and equitable laws for the assessment and collection of revenue for State, county and municipal purposes, and to repeal all laws in conflict with the provisions of this Act, whereby revenue is collected from the assessment of real estate, personal property, privileges and polls;" and also to repeal Subsection 2 of Section 1 of an Act approved June 15, 1895, being Chapter 5 of the Acts of the extra session of 1895, entitled "An Act to amend Chapter 120 of the Acts of 1895, regular session, by supplying certain amendments which were adopted to said Chapter 120 as it was passing through the General Assembly, and which were, by accident, omitted in engrossing the same, so as to abolish the State Board of Equalizers and Assessors.

Abolishes
State Board
of
Equalizers
and Assessors

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Sections 60, 61, 62, 63 and

64 of An Act approved May 14, 1895, being Chapter 120 of the Acts of the the Regular Session, 1895, entitled, "An Act to provide more just and equitable laws for the assessment and collection' of revenue for State, county and municipal purposes, and to repeal all laws in conflict with the provisions of this Act, whereby revenue is collected from the assessment of real estate, personal property, privileges and polls," be and are hereby repealed; and that sub-Section 2 of an Act approved June 15, 1895, being Chapter 5 of the Acts of the Extra Session, 1895, entitled, "An Act to amend Chapter 120 of the Acts of 1895, Regular Session, by supplying certain amendments which were adopted to said Chapter 120 as it was passing through the General Assembly, and which were, by accident, omitted in engrossing the same" be and is hereby repealed; and that the State Board of Equalizers and Assessors created by said Act and Amendatory Act, be and is hereby abolished, together with the office of each individual member thereof.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 15, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 8.

[HOUSE BILL NO. 197.]

AN ACT to amend an act, approved May 14, 1895, being Chapter 120 of the Acts of the regular session of 1895, entitled "An Act to provide more just and equitable laws for the assessment and collection of revenue for State, county and municipal purposes, and to repeal all laws in conflict with the provisions of this Act, whereby revenue is collected from the assessment of real estate, personal property, privileges and polls," so as to deprive back tax attorneys of authority to collect taxes assessed for any year later than 1895, except municipal taxes already in the hands of back tax attorneys for collection.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee, That an Act approved May 14,* Back tax att'y
not to collect
later than 1895

1895, being Chapter 120 of the Acts of the Regular Session of 1895, entitled, "An Act to provide more just and equitable laws for the assessment and collection of revenue for State, county and municipal purposes, and to repeal all laws in conflict with the provisions of this Act, whereby revenue is collected from the assessment of real estate, personal property, privileges and polls," be and is hereby so amended that hereafter no back tax attorney appointed by virtue of said Act shall have authority to collect any taxes assessed or hereafter assessed for any year later than the year 1895 except municipal taxes already in the hands of back tax attorneys for collection.

Exception. Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved March 25, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 9.

[HOUSE BILL NO. 224.]

AN ACT to amend Chapter 68 of the Acts of the Thirty-seventh General Assembly, passed December 9, 1871, entitled "An act to provide for the collection of all taxes that are a lien upon real estate sold under a decree of any court in this State."

Taxes due under reference. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That in ascertaining the taxes due under a reference as required by said Act, the clerk or clerk and master shall issue to each of the officials charged with the collection of any taxes that might or could be a lien on said property, a statement giving the style and number of the cause, a description of the property sold and the name of the party or parties out of whom the title is or is to be divested; whereupon each of said officials shall certify to said clerk or clerk and master an itemized statement of the taxes, interest, penalties and cost that are at that date a lien upon said land in his hands for collection, from which statement the clerk or clerk and master shall report to the court the

amount of taxes, interest, penalties and cost that is a lien on said land.

Sec. 2. *Be it further enacted*, That the only fees for making a tax report under the provisions of this Act shall be \$1.50 to the clerk or clerk and master for issuing said statement, filing the certificate of said officials, making the clerk's or clerk and master's report and filing the same.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February, 11, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved February 12, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 10.

[HOUSE BILL No. 242.]

AN ACT to create a Railroad Commission in this State and define its duties and powers; to prohibit extortion, unjust discrimination and undue or unreasonable preferences by railroad companies and other persons operating railroads in this State, in their charges for the transportation of freight and passengers; to secure just and reasonable rates and charges for all such services; and to impose penalties and to provide adequate civil remedies for, and punish violations of, this Act, and to secure the due execution and enforcement of its provisions and all lawful orders, rules and regulations of the said Railroad Commission.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a commission is hereby created, consisting of three members, one from each Grand Division of the State, to be known as the "Railroad Commission of the State of Tennessee." Said Railroad Commissioners shall be State officers, and shall be appointed, first by the Governor and confirmed by the Senate immediately after the passage of this Act. They shall serve for two years, the term to be reckoned from January 1, 1897.

But the compensation of the Commissioners shall be computed from the date they enter upon the discharge of their official duties as Commissioners. At the regular election in November, 1898, they shall be elected by

First election,
Nov. 1898.

Terms of office.

the qualified voters of the State, and the one receiving the highest number of votes cast, shall serve six years, and the next highest four years, and the next highest two years; the term of office to begin on the first day of January following the election in November. And there shall be biennially after the election in November, 1898, one member elected to serve six years. If for any reason there should be a vacancy on the Board of Commissioners, the Governor is hereby authorized to fill such vacancy by appointment until the next regular election, when such vacancy shall be filled for the unexpired term.

Governor to fill vacancies.

To have office in the capitol.

Sec. 2. *Be it further enacted*, That the Railroad Commission shall be furnished a permanent office in the State Capitol, with all necessary furniture, stationery and supplies, to be paid for by the State on an itemized statement sworn to by the Chairman of the Commission;

Proviso.

Provided, That all plans shall be made out by the Secretary of State, Treasurer and Governor, who shall approve all bills for this purpose before they are paid.

Quorum and organization.

The Commission shall be furnished with the furniture and equipments of the late Board of Equalization. A majority of said Commissioners shall constitute a quorum for the transaction of business. Immediately after the appointment of the Commissioners by the Governor and confirmed by the Senate, they shall meet in Nashville and organize by the election of one of their members Chairman of the Commission. On the first Monday in January, 1899, and biennially thereafter, they shall meet in their office at Nashville and re-organize. After the Commission is organized, they shall appoint a Secretary.

Salaries.

Sec. 3. *Be it further enacted*, That the salary of each Commissioner shall be two thousand dollars (\$2,000) per annum, unless restrained by law from the performance of their duties as required by this Act, payable quarterly out of the State Treasury, on the warrant of the Comptroller, and the salary of the Secretary shall be fifteen hundred (\$1,500) dollars per annum, payable in the same manner as the salaries of the Commissioners;

Expenses.

Provided, That an amount not to exceed three thousand (\$3,000) dollars shall be allowed for the Board's traveling expenses; and an amount not to exceed one thousand (\$1,000) dollars shall be allowed for the traveling expenses of the Secretary.

No member of this General Assembly shall be eligible to election on the Commission to be elected by this

General Assembly or to the position of Secretary to be chosen by the first Commission.

Sec. 4. *Be it further enacted*, That the Commissioners Qualifications. shall be resident citizens of this State and qualified voters under the Constitution and laws, and shall be not less than twenty-five years of age.

No Commissioner shall hold any other public office, Shall not hold office or engage in business. under either the Government of the United States or the Government of this or any other State, nor shall any Commissioner, while acting as such Commissioner, engage in any business or occupation inconsistent with his duties as Commissioner.

No person, who owns jointly or severally, any bonds, Restrictions. stocks or other property in any Railroad or Transportation Company, or who is an agent or employee in any way of any Railroad or Transportation Company, or who has any interest personally in any way or manner in any Railroad or Transportation Company, shall be eligible to serve as a member of the Railroad Commission.

Each of said Commissioners shall enter into a bond Bond. with two or more solvent securities, to be approved by the Governor, in the sum of \$20,000, payable to the State of Tennessee, conditioned upon the faithful performance of his duty.

Before entering upon the discharge of the duties of Oath of office. his office, each of said Commissioners shall make, subscribe to and file in the office of the Secretary of State, the following oath:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Tennessee, and that I will faithfully discharge the duties of Railroad Commissioner according to the best of my ability; that I am not the owner of any stock or bonds of any Railroad or Transportation Company, or in any way, directly or indirectly, in the employment, or engaged in the management of any Railroad or Transportation Company."

Sec. 5: *Be it further enacted*, That the Commissioners, Not to accept favors or gratuities. nor any one of them, shall directly or indirectly, accept any gift, gratuity, emolument or employment from any person or corporation owning or operating a Railroad, or from any officer, attorney, agent or employee of any Railroad Company; nor shall they or any one of them, directly or indirectly, solicit or request from, or recommend to any Railroad Company, or to any officer, attorney, agent or employee thereof, the appointment of any person to any place or position during their or his continuance in office. It shall be unlawful

for any Railroad Company or any officer, attorney, agent or employee thereof to give or offer to give, to the Commissioners any gift, gratuity, emolument, employment, place or appointment, for themselves or other persons; but said Commissioners shall be entitled to a pass or ticket over any and all lines of Railroads owned or operated by any corporation or company in Tennessee while such Commissioners are engaged in the discharge of their duties. And it shall be the duty of such Railroad Company to furnish the Commissioners with such pass or ticket when demanded.

Pass tickets.

A violation of any of the provisions of this Section shall subject the persons or corporation so violating, to a fine of not less than one thousand dollars, and not more than five thousand, to be recovered by indictment as other penalties for violation of law are recovered. Any Commissioner convicted of a violation of any provision of this Section shall, in addition to the above penalty, be immediately dismissed from said office by the judgment of the court trying the cause.

Secretary.

Sec. 6. *Be it further enacted,* That it shall be the duty of the Secretary to keep a full and correct record of all the proceedings and transactions of said Commission and perform such other duties as the Commission may require.

The minutes shall be signed by each member of the Commission or by those present when any business is transacted.

Minutes and documents.

The minutes and all official documents of every kind shall be kept on file in the office of the Commissioners. A copy of any of their proceedings, or of any document on file in their office, when duly certified by the Chairman and Secretary of the Commission, shall be taken as evidence in the courts of this State. For a copy of any record on file in their office, they shall charge and receive the same fees that are charged by the Secretary of State for similar services and shall cover into the State Treasury any amount so received.

Meetings.

Sec. 7. *Be it further enacted,* That the Commissioners shall meet in their office at the Capitol as often as business may require, and shall remain in session until all business before them is disposed of, and shall hold other sessions at such times and places as may be necessary for the proper discharge of their duties, or as the convenience of the parties, in the judgment of the Commission, may require.

To fix freight and passenger rates.

Sec. 8. *Be it further enacted,* That authority is hereby vested in the Railroad Commission of Tennessee, and it is hereby made its duty, to supervise and fix the

rates, charges and regulations of Railroad freight and passenger tariffs and to correct abuses and prevent unjust discrimination and extortion in the rates of freight and passenger tariffs on the different Railroads in this State. The Commission shall have power to make all needed rules for its government and for its proceedings and regulate the mode and manner of all investigations and hearings of Railroad Companies, and other parties, before it, and to adopt and enforce such rules and regulations and modes of procedure as it may deem proper for the hearing and determination of all complaints made by any Railroad Company or other parties;

Rules and regulations.

Provided, That no person desiring to be present at any such investigation by said Commissioners shall be denied admission. The Commissioners shall inform themselves fully and thoroughly in regard to the affairs of every Railroad Company doing business in this State.

They shall cause to be prepared suitable blanks with questions calculated to elicit all information concerning Railroads, and as often as may be necessary, furnish said blanks to each Railroad Company.

To furnish blanks.

Each Railroad Company receiving from the Commissioners any such blanks shall cause the same to be properly filled out, so as to answer fully and correctly each question therein propounded, and in case they are unable to answer any question, they shall give a satisfactory reason for their failure, and the said answer, duly sworn to by the proper officer of said company, shall be returned to said Commission at its office in Nashville within thirty days from the receipt of same. The Commission is hereby given full power and authority to examine the books and papers of the Railroad Companies and to examine under oath, the officers, agents and employees of said companies and any other persons, to procure the necessary information to intelligently and justly discharge their duties and carry out the provisions of this Act.

Railroad companies to fill out blanks.

Sec. 9. *Be it further enacted*, That they shall have power to examine, under oath, any person, or the directors, officers, agents and employees of any Railroad Corporation doing business in this State, concerning the management of its affairs, and to obtain information pursuant to this law; and shall have power to issue subpoenas for the attendance of witnesses, to compel the production of books and papers, and to administer oaths; and any person who shall neglect or refuse to obey the process of subpoenas issued by said Commission,

Power to take evidence.

Refusal to testify, etc., and penalty therefor.

sioners, or who being in attendance, shall refuse to testify, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished for each offense by a fine of not less than \$50 nor more than \$100, or by imprisonment not less than ten days nor more than fifty days, or both, in the discretion of the jury trying the case.

Each refusal to obey the subpoenas or to testify, shall constitute a separate offense.

Power to issue subpoenas.

Sec. 10. *Be it further enacted,* That the said Commission in making any examination or investigation provided for in this Act, shall have power to issue subpoenas for the attendance of witnesses by such rules as they may prescribe. Each witness who shall appear before the Commission, by order of the Commission, shall receive for his attendance the compensation now provided by law, which shall be paid by the State Treasurer on warrant of the Comptroller, upon the presentation of proper voucher sworn to by such witness, and approved by the Chairman of the Commission.

Proviso.

Provided, That no witness shall be entitled to any witness fees or mileage who is directly or indirectly interested in any Railroad in this State or out of it, or who is in any way interested in any stock, bond, mortgage, security or earnings of any such road, or who shall be the agent or employee of such road, or an officer thereof when summoned at the instance of such Railroad; and no witness furnished with free transportation shall receive pay for the distance he may have traveled on such free transportation. In case any witness shall fail or refuse to obey such subpoena, said Commission may issue an attachment for said witness, directed to any sheriff or constable of the State of Tennessee, and compel him to attend before the Commission and give his testimony upon such matters as shall be lawfully required by them. If a witness, after being duly summoned, shall fail or refuse to attend, or to answer any question propounded to him, and which he would be required to answer if in court, the Commission shall have power to fine and imprison such witness for contempt in the same manner that the Judge of any court of competent jurisdiction might do under similar circumstances.

Recalcitrant witnesses.

Railroad employees exempt from indictment.

No officer, agent, servant or employee of any Railroad Company, who shall appear and testify before the Commission under the provisions of this Act, or any civil or criminal proceedings instituted by them under the provisions of this Act, shall be liable to indictment or

presentment for any violation of this Act about which they so testify;

Provided, the Commission shall, in all cases, have a right in its discretion to issue proper process and take depositions instead of compelling personal attendance of witnesses. The sheriff or constable executing any process issued under the provisions of this section or under any other provisions of this bill, shall receive such compensation as may be allowed by the Commission, not to exceed fees as now prescribed by law for similar services.

Depositions
may be taken

Sec. 11. *Be it further enacted*, That the Commission shall not require publicity to any contracts, leases or engagements obtained by them in their official capacity, if the interests of any company would thereby be injuriously affected, unless, in the judgment of the Commission, the public interest requires it.

Sec. 12. *Be it further enacted*, That it shall be the duty of each and every Railroad Company, corporation or individual, owning, operating or managing a Railroad, [to furnish to the] Commission at its office in Nashville, the monthly, quarterly and annual statements of the operations of their respective roads, if such reports are issued; if not, then they shall send such reports as may be issued at any special or regular time. The president or chief officer of each and every Railroad Company, corporation or individual, owning, operating or managing any Railroad in this State, shall on or before the first day of February of each year, make and transmit to the Commission at its office in Nashville, under oath of the president or chief officer of the company, a full and true statement of the affairs of said company as the same existed on the first day of the preceding January, in accordance with the direction and schedules prepared and furnished by the Commission.

Roads to fur-
nish state-
ments.

Sec. 13. *Be it further enacted*, That any officer, agent or employee failing or refusing to make, under oath, any report required by the Commission, within the time required, or failing or refusing to answer fully under oath, if required, any inquiry propounded by the Commission, or who shall, in any way, hinder or obstruct the Commission, in the discharge of its duties, shall be guilty of a misdemeanor, and shall be fined for each offense not less than \$500 nor more than \$1,000.

Failure or re-
fusal, penalty
for.

Sec. 14. *Be it further enacted*, That all railways heretofore constructed, or that may hereafter be constructed in this State, are hereby declared subject to the provisions of this Act, and all individuals, companies, corporations, trustees, receivers and lessees, owning

All roads sub-
ject to this
Act.

operating and managing such railways for the transportation of freight and passengers, are hereby declared common carriers.

**Special rates,
rebates, etc.,
unlawful.**

Sec. 15. *Be it further enacted*, That if any such common carrier shall directly or indirectly, by any special rate, rebate, drawback or other device, charge, demand, collect or receive from any person or persons, firm or corporation, a greater or less compensation for any services rendered in the transportation of any kind of property upon such railroads within this State than it charges, demands, collects or receives from any other person or persons, firms or corporations for doing for him or them a like service in the transportation of a like kind of property under substantially like circumstances and conditions, and if such common carriers make any preference between the parties aforesaid, in furnishing cars or motive power for the purpose aforesaid, such common carrier shall be deemed guilty of unjust discrimination, which is hereby prohibited and declared unlawful.

**Extortion un-
lawful.**

Sec. 16. *Be it further enacted*, That if any railroad corporation shall charge, collect or receive more than a just and reasonable rate of toll or compensation for the transportation of passengers or freight in this State, or for the use of any railroad car upon its track, or upon any track it has control of or the right to use in this State, it shall be deemed guilty of extortion, which is hereby prohibited and declared unlawful.

**No preferences
to be given.**

Sec. 17. *Be it further enacted*, That it shall be unlawful for any corporation to make or give any undue or unreasonable preference or advantage to any particular person or locality, or any particular description of traffic, or to subject any particular person, company, firm, corporation or locality, or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage.

**Overcharges
unlawful.**

Sec. 18. *Be it further enacted*, That if any person owning or operating a railroad in this State, or any common carrier, shall charge or receive any greater compensation in the aggregate for the transportation of passengers or property of like kind, under substantially like circumstances and conditions, for a shorter than a longer distance over the same line in the same direction, the shorter being included within the longer distance, such person or common carrier shall, for each offense, be guilty of a misdemeanor and fined, not less than \$100 nor more than \$500.

Penalty.
**Extortion,
how punished**

Sec. 19. *Be it further enacted*, That any Railroad corporation that shall be guilty of extortion or unjust dis-

crimination, or of giving to any person or locality, or to any description of traffic an undue or unreasonable preference or advantage, shall, upon conviction, be fined in any sum not less than \$500 nor more than \$2,000.

Sec. 20. *Be it further enacted*, That suits may be brought by any person against any Railroad Company, owning or operating a railroad in Tennessee, for the violation of Sections 15, 16, 17 and 18, of this Act before any court having jurisdiction to try the same. And it shall be the duty of the Attorneys General of the State to bring suit in the name of the State on the relation of the Commissioners, in any court having jurisdiction thereof, to recover any penalty imposed by the provisions of this Act.

How suits may be brought.

Sec. 21. *Be it further enacted*, That the Railroad Commission shall have power, and it is hereby made its duty, to investigate all through freight rates on all railroads in Tennessee, and when the same are, in the opinion of the Commission, excessive, or laid or levied in violation of the interstate commerce law, or the rules and regulations of the Interstate Commerce Commission, the officials of the Railroad are to be notified of the facts and requested to reduce them or make the proper corrections, as the case may be. When the rates are not changed, or the proper corrections are not made according to the request of the Commission, the latter is instructed to notify the Interstate Commerce Commission and to apply to it for relief.

Must investigate through rates.

Sec. 22. *Be it further enacted*, That it shall be the duty of all persons or corporations who shall own or operate a railroad in this State, within thirty days after the passage of this Act, to furnish the Commission with its tariff of charges for transportation of every kind, and it shall be the duty of said Commission to revise said tariff charges so furnished, and determine whether or not, and in what particular, if any, said charges are more than just compensation for the service to be rendered, and whether or not unjust discrimination is made in such tariff of charges against any person, locality or corporation, and when such charges are corrected, as provided by said Commission, the Commission shall then append a certificate of its approval to said tariff of charges; but in revising or establishing any and every tariff of charges, it shall be the duty of said Commission to take into consideration the character and nature of the service to be performed and the entire business of such railroad, together with its earnings from the passenger and other traffic, and any other facts and circumstances which may affect the question of just and

Duty of corporations to furnish tariffs.

Duties of commissioners.

To supervise
tariff of
charges.

Companies to
post rates.

Discrimina-
tions forbid-
den.

Rebates, how
punished.

Reduced and
special rates.

reasonable rates, and shall so revise such tariffs as to allow a fair and just compensation, having due regard to the rights and interests of both shipper and carrier, and in view of all the circumstances and conditions existing at the time; and it shall be the duty of said Commission to exercise a careful and watchful supervision over every such tariff of charges from time to time as justice to the public and each of said railroads may require, and to increase or reduce any of said rates according as experience and business operations may show to be just; and said Commission shall accordingly fix the tariffs of charges for these railroads failing to furnish tariff of charges as above required. And it shall be the duty of said Railroad Companies or other persons operating any railroad in this State, to post, at each of its depots all rates, schedules, and tariffs for the transportation of passengers and freights, made or approved by said Railroad Commission, with said certificate of approval, in some conspicuous place at the depot, and it shall be unlawful for any such person or corporation to make any rebate or reduction from such tariffs in favor of any person, locality or corporation, which shall not be made in favor of all other persons, localities or corporations by a change in such published rates, except as may be allowed by the Commission; and when any change is contemplated to be made in the schedule of passenger or freight rates of any railroad by the Commission, whether by revising rates already fixed by the Railroad Commission or by fixing and establishing rates originally. Said Commission shall give the person or corporation operating or managing said railroad notice in writing at least ten days before the change, of the time and place at which such change will be considered.

Sec. 23. *Be it further enacted*, That any person or corporation as aforesaid, who shall make any reduction or rebate prohibited by this Act, without approval of the Commission, shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than \$100 nor more than \$500.

Sec. 24. *Be it further enacted*, That this Act shall not prevent any Railroad Company from transporting freight free of charge, or at reduced rates, for any religious, charitable or benevolent purpose, or for any industrial exposition, fair or association of a public nature, or for transporting immigrants into this State, or persons prospecting with a view of locating or bring-

ing immigrants into this State, or for pleasure excursions. However, nothing in this Act shall be construed so as to prevent the railroads of this State from giving special rates to encourage infant manufacturing industries, and for the encouragement of any other new business or industry, or for the transportation of any perishable goods;

Provided, That such transportation shall be furnished without discrimination, and under such rules and regulations as the Commission may prescribe.

Sec. 25. *Be it further enacted*, That if any Railroad Company, corporation or lessee shall wilfully violate any of the provisions of this Act, or shall do any act herein prohibited, or shall fail or refuse to perform any duty enjoined upon it by the provisions of this Act for which penalty has not herein been provided, for each and every such act of violation it shall pay to the State of Tennessee a penalty of not less than \$50 nor more than \$100.

Sec. 26. *Be it further enacted*, That the Circuit and Chancery Courts and Justices of the Peace of this State shall have jurisdiction of all suits of a civil nature, arising under the provisions of this Act, according to the nature of the suit and the amount involved, as now provided by law; and that the Circuit Courts shall have jurisdiction of all criminal proceedings arising under this Act, except in counties where there are special criminal courts, and in such counties such criminal courts shall have jurisdiction. Indictments or presentations under this Act shall be preferred only upon recommendation or request of the Railroad Commission filed in the court having jurisdiction of the offense. And the Railroad Commission or any member thereof, or any person now authorized by law to prosecute criminal cases, may be prosecutor.

All prosecutions or actions under this Act shall be commenced within one year after the offense shall have been committed or the cause of action shall have accrued, or the same shall be barred.

All penalties herein provided for shall be recovered, and suit thereon shall be brought, in the name of the State of Tennessee in the proper court having jurisdiction. All penalties and fines recovered by the State under this Act shall be paid into the State Treasury. The Attorney General of the Judicial Circuit in which the suit is to be instituted shall prosecute suits brought in the name of the State under this Act.

Fines to State
Treasurer.

Commission-
ers to see law.
enforced.

Sec. 27. *Be it further enacted*, That it is hereby made the duty of the Railroad Commission to see that the provisions of this Act and all laws of this State concerning railroads are enforced and obeyed, and that violations thereof are promptly prosecuted, and all penalties due the State therefor recovered and collected. And said Commission shall report all such violations with the facts in their possession to the District Attorney General of the Judicial Circuit in which proceedings are to be instituted, and request him to institute the proper proceedings. All suits between the State and any railroad shall have precedence in all courts over all other suits pending therein, and the judges of said courts are hereby directed to advance such suits on their dockets.

Unjust dis-
crimination
defined.

Sec. 28. *Be it further enacted*, That every Railroad Company that shall fail or refuse, under such regulations as may be prescribed by the Commission, to receive and transport without delay or discrimination, the passengers, tonnage and cars, loaded or empty, of any connecting line of railroad or other common carrier by water or land, and every railroad which shall, under such regulations as may be prescribed by the Commission, fail or refuse to transport and deliver without discrimination, any passengers, tonnage, cars loaded or empty, destined to any point on or over the line of any connecting line of railroad, or shall refuse to receive and transport without delay any freight consigned to any person, firm, corporation, or common carrier at any point on its line or at any point on any connecting line or railroad, shall be deemed guilty of unjust discrimination;

Provided, That perishable freight of all kinds and live stock shall have precedence of shipment.

To confer with
other com-
missions.

Sec. 29. *Be it further enacted*, That it shall be the duty of the Railroad Commission, by correspondence, conventions or otherwise, to confer with the Railroad Commissioners of other States and the Interstate Commerce Commission, and from such persons from States which have no Railroaod Commission, as the Governor of such States may appoint, for the purpose of agreeing, if practicable, upon a draft of statutes to be submitted to the Legislature of each State, which shall secure uniform control of railroad transportation in the several States, and from one State into or through another State, as will best subserve the interest of trade and commerce of the whole country, and said Commission

shall include in their annual report to the Governor an abstract of the proceedings of any such conference or convention.

Sec. 30. *Be it further enacted*, That the provisions of this Act shall be construed to apply to and affect only the transportation of passengers, freight and cars between points within this State; and this Act shall not apply to street railways, nor to suburban or belt lines of railways in or near cities and towns.

Sec. 31. *Be it further enacted*, That the Railroad Commission shall, annually, on the first day of January, make a report to the Governor of all matters relating to their office for the preceding year, and such as will disclose the practical workings of the railroads in this State, and such suggestions in relation thereto as they may deem necessary and proper, together with the minutes of all their meetings, and shall have printed and lay before each Legislature five hundred copies of their reports for the two preceding years.

Sec. 32. *Be it further enacted*, That it is hereby made the duty of said Commission to perform all duties imposed upon it by the provisions of this Act, and see that the railroads shall comply with all such regulations and orders as it may reasonably and lawfully make under the provisions of this statute, and in case any Railroad Company shall fail and refuse to comply with such reasonable and lawful regulations and orders, it shall be the duty of said Commission to enforce the same, and power is hereby given said Commission to enforce the same by mandamus or mandatory injunction, or by other summary proceedings provided for by law, and in all such proceedings the orders and regulations, rates and tariffs made and fixed by the Commission pursuant to this Act, shall be taken and treated as *prima facia*, reasonable and valid, and it is hereby made the duty of the courts having jurisdiction in such proceedings to hear and determine all such summary causes as speedily as practicable, giving preference as in revenue causes.

Sec. 33. *Be it further enacted*, That the Commission created by this Act shall be empowered to suspend Section 18 of this Act, when in their opinion the conditions are such that such suspension will be beneficial and to the best interest of the people and all whom it may concern.

Sec. 34. *Be it further enacted*, That where any city or town in this State has competition existing in freight rates between railroads and rivers, it shall be the duty

Act operative
only in this
State.

Annual re-
ports to the
Governor.

Duties and
powers of
commission.

May suspend
Sec. 18 of
this Act.

of the Railroad Commission provided for in this Act to regulate the freight rates of all railroads in cities and towns so situated, according to the rates fixed and charged by river transportation companies in competition with such railroads.

Repeal.

Sec. 35. *Be it further enacted*, That all laws in conflict with this Act are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1897. Amendments receded from April 2, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER II.

[HOUSE BILL NO. 53.]

AN ACT to authorize the people to decide by vote whether they will call a Constitutional Convention, and to provide for the submission of said question to the voters of the State and the announcement of the result, and to repeal an Act entitled, "An Act to authorize the people to decide by vote whether they will call a Constitutional Convention," approved September 24, 1896, being Chapter 1 of the Acts of the General Assembly of the State of Tennessee, passed September 23, 1896, at the Extra Session of 1896.

Preamble.

Whereas, Under our Constitution the right of the people to alter, reform or abolish the same is fully recognized, and,

Whereas, In the opinion of the General Assembly, the public exigencies do now demand the exercise of these several powers on the part of the people of this State, and,

Whereas, By Article XI., Section 3 of the present Constitution, power is given to the Legislature to submit to the people the question whether a Constitutional Convention shall be called; therefore,

Election
authorized.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all the legal voters under existing laws of this State are hereby authorized to assemble on the first Thursday in August, 1897, at the

several places of holding elections in the various counties of this State, and vote for or against calling a Convention to alter, reform or abolish the present Constitution of this State.

Sec. 2. *Be it further enacted*, That in submitting the question of a Convention to the people, tickets shall be prepared by the proper authorities under the laws in force at the time of holding said election, or by the electors in various counties of this state, with the words written or printed "For a Convention," "Against a Convention," and if the number of votes cast for a Convention be greater than the votes cast against a Convention, then there shall be a Convention.

Registration books shall be opened and voters will be allowed to register in all respects as at that time provided by law, and the qualifications necessary to entitle a citizen to vote upon the questions submitted shall, in all respects, be the same as then required by law in order to vote for members of the General Assembly.

Registration
and qualifi-
cation of
electors.

Sec. 3. *Be it further enacted*, That it is hereby declared to be the duty of the Governor to issue his proclamation to the several sheriffs or other proper officers under the law, in the State and counties thereof, immediately after the passage of this Act, requiring them to hold and conduct said election as herein provided. And said sheriffs or other proper officers under the law, in the various counties of the State shall advertise the time and places of holding said election, as in case of special elections for members of the General Assembly.

Proclamation
and notice of
election.

Sec. 4. *Be it further enacted*, That it shall be the duty of the sheriff, or other proper officer under the law, of each county of the State, immediately after said election, to make a complete return to the Secretary of this State of the votes cast "For a Convention" and "Against a Convention," in his county.

Sheriff to
make re-
turns.

Sec. 5. *Be it further enacted*, That it shall be the duty of the Governor and Secretary of this State to compare the returns made by the sheriffs or other proper officers under the law, and if a majority of those voting be in favor of a Convention, or against a Convention, it shall be the duty of the Governor to immediately issue his proclamation announcing the result.

Comparing
vote and an-
nouncing
result.

Sec. 6. *Be it further enacted*, That in all cases where any sheriff or other proper officer under the law, fails or refuses to hold said election, it shall be lawful for any three free-holders, being legal voters, to hold said election by summoning as many by-standers, being legal

Free-holders
may hold
election.

Repeal.

voters, as may be necessary, to hold said election.

Sec 7. *Be it further enacted*, That an Act approved September 24, 1896, being Chapter 1 of the Acts of the General Assembly of the State of Tennessee, passed September 23, 1896, at the Extra Session of 1896, entitled, "An Act to authorize the people to decide by vote whether they will call a Constitutional Convention, be and the same is hereby repealed.

Sec. 8. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved March 17, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 12.

[HOUSE BILL NO. 54.]

AN ACT to provide for the election of delegates to a Constitutional Convention, and for the holding of said Convention and the submission of the result to the voters of the State of Tennessee. And to repeal an Act entitled "A Bill to be entitled, An Act to provide for the election of delegates to a Constitutional Convention," approved September 25, 1896, being Chapter 2 of the Acts of the General Assembly of the State of Tennessee, passed September 24, 1896, at the Extra Session of 1896.

Qualification
of voters.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in case the Governor of the State pursuant to law, shall issue his proclamation announcing that a majority of the voters voting in said election have cast their votes in favor of calling a Constitutional Convention, all legal voters under existing laws of this State, who were qualified to vote for or against the calling of a Constitutional Convention under the Act passed, and all who have become of legal age since said election was held are hereby authorized to assemble on the first Thursday in October, 1897, at the several places of holding elections in the various counties of the State and vote for delegates to a Constitutional Convention to alter, reform or abolish the present Constitution of the State.

Election, how
and when
held.

Sec. 2. *Be it further enacted*, That said election shall be held at all the precincts and voting places established

by law, and shall be managed and conducted under the laws then in force, in the same manner and under the same rules and regulations that members of the General Assembly are then elected. And it is hereby declared to be the duty of the Governor to issue his proclamation to the several sheriffs or other proper officers under the law of the State and counties thereof, immediately after the announcement by him that a majority of said votes have been cast in favor of said Convention, requiring them to hold and conduct said election as herein provided. And said sheriffs or other proper officers under the law, at the various counties of this State shall advertise the time and place of holding said election, as in case of special elections of members of the General Assembly.

Sec. 3. *Be it further enacted*, That the whole number of delegates selected to such Convention shall be the same as the number of Representatives of the General Assembly as now organized, and the number of delegates from each Representative District shall be the same as now provided by law for the Representatives in the General Assembly, making the whole number of delegates in the Convention ninety-nine (99). Number of delegates.

Sec. 4. *Be it further enacted*, That no person shall be eligible to a seat in said Convention, who is not twenty-seven (27) years of age and a legal voter of the county or district he seeks to represent. Eligibility.

Sec. 5. *Be it further enacted*, That in case of death, refusal or inability to serve, resignation or removal from the State of any delegate, the vacancy occasioned thereby shall be filled in the same manner as prescribed by law for filling vacancies in the representation in the General Assembly. Vacancies, how filled.

Sec. 6. *Be it further enacted*, That it shall be the duty of the sheriff or other proper officer under the law, of each county of the State, immediately after said election to make a complete return to the Secretary of State of the votes cast for delegates in his county, provided that certificates of election shall issue to delegates as now provided by law in the case of Representatives of the General Assembly, and said certificate shall be *prima facie* evidence of the right of any delegate to a seat in said Convention, subject if contested to be decided in the manner the Convention may prescribe. Sheriff to make returns.

Sec. 7. *Be it further enacted*, That said Convention shall convene in the city of Nashville on the first Monday in November, 1897, and when so assembled, said delegates shall organize themselves into a Constitutional Convention to organize, when and where.

To adopt
rules.

Not allowed
pay.

Submission to
the people.

Free-holders
may hold
election.

Repeal.

Convention by the election of a President and such other officers as they may deem necessary.

Sec. 8. *Be it further enacted*, That said Convention shall adopt such rules and regulations for its government, and the transaction of its business, as it shall deem proper. And the members and officers of said Convention shall serve without pay, and shall be allowed for expenses the actual amount of traveling expenses for one trip going and coming from their homes to the place of holding the Convention, and two dollars per day during the continuance of the Convention for board, and no more. And said Convention shall not continue in session for a longer period of time than seventy-five days.

Sec. 9. *Be it further enacted*, That the Constitution or form of government, which said Constitutional Convention may adopt, shall not be of any binding force until the same has been submitted to and ratified by a majority of the voters at an election held for that purpose in such manner and at such time as the Convention shall provide.

Sec. 10. *Be it further enacted*, That in all cases where any sheriff or other proper officer under the law, fails or refuses to hold said election, it shall be lawful for any three free-holders, being legal voters, to hold said election by summoning as many by-standers, being legal voters, as may be necessary to hold said election. Clerks, judges and officers holding said election shall serve without compensation.

Sec. 11. *Be it further enacted*, That an Act approved September 25, 1896, being Chapter 2 of the Acts of the General Assembly of the State of Tennessee, passed September 24, 1896, at the Extra Session of 1896 entitled, "A Bill to be entitled, An Act to provide for the election of delegates to a Constitutional Convention" be and the same is hereby repealed.

Sec. 12. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 13.

[HOUSE BILL NO. 189.]

AN ACT to secure pure elections by creating Boards of Commissioners of Election in Counties having a population less than 50,000 inhabitants, computed by the Federal Census of 1890, and any subsequent Federal Census, and defining the duties and powers thereof.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That for and in, each and every of the counties of this State which has a population under and less than fifty thousand inhabitants, computed by the Federal Census of 1890, and by any subsequent Federal Census (the last published Census to control in all cases), there shall be appointed by the Governor in this State, a board of three persons, to be known as the Commissioners of Election. Not more than two of the three commissioners constituting the board shall be of the same political party; and any two shall constitute a quorum for the transaction of business. They shall be appointed on the first Monday in April, 1897, or as soon thereafter as practicable, and on the first Monday in April every two years thereafter. They shall hold their offices for the term of two years, and until their successors are appointed; and all vacancies shall be filled by the Governor, by appointment, as in the first instance. Said commissioners shall serve without compensation, and before entering upon the duties of their office, shall take and subscribe to an oath before any officer authorized to administer oaths in the county for which such commissioners are appointed, to faithfully and honestly discharge the duties of their office. It shall be the duty of said commissioners to qualify within twenty days after their appointment, and organize by the selection of one of their number as chairman.

A failure on the part of any commissioner to qualify as above provided, shall in all cases vacate the appointment of such commissioner. The oath of the commissioners, duly dated, shall be endorsed upon his commission.

Sec. 2. *Be it further enacted,* That it shall be the duty of said Commissioners of Election, within sixty days prior to every election to be held in their county,

Commissioners of election, how appointed.

To be of varying politics.

When appointed.

Term of office.

To serve without compensation.

Oath.

Failure to qualify.

To appoint judges.

and in due time therefor, to appoint three judges for each and every voting place in their county, to superintend the election at the precinct or voting place for which said judges shall be appointed.

Of varying politics.

All three of the judges shall not be from the same political party, if persons from different political parties are willing to serve; and they shall be appointed from the two political parties most numerously represented in such ward or district.

Clerks of election.

The said Commissioners of Election shall also appoint two clerks of election for each and every voting place in their county. They shall be appointed not more than sixty days prior to every election in said county, and in due time to act thereat. They shall be of different political parties, if competent persons of different political parties are willing to serve.

Officers.

The said Commissioners of Election are also hereby authorized and empowered to appoint the officer or officers of election at each voting place to the exclusion of the sheriff or other person or officer heretofore possessing said power of appointment. The judges and clerks shall be residents and citizens of the ward or district in which the voting place for which they are appointed is situated.

County and city authorities divested of power.

The county courts, mayors, boards of mayor and aldermen, and sheriffs of and in the said counties within the provisions of this Act, are hereby divested of the authority to appoint judges or inspectors and clerks of elections and officer or officers, and all laws or statutes vesting them, or any of them, with such power of appointment, which are inconsistent with the provisions hereof, are hereby repealed.

To perform duties of commissioners of registration.

Sec. 3. *Be it further enacted*, That in all and every of the counties of this State, which now have, and which shall hereafter have, less than fifty thousand inhabitants, computed by the Federal Census, as hereinbefore provided, but which contain cities, towns and civil districts with a population of twenty-five hundred inhabitants, or over, computed as aforesaid, and which towns, cities or civil districts for that reason are, or shall be, within the provisions of the registration laws of this State, and particularly the following, viz.:

The Acts which are Chapter 224 of the Acts of 1891, Chapter 25 of the Acts of the Extra Session of 1890, and Chapter 12 of the First Extra Session of 1891, the duties now imposed by law upon the Commissioners of Registration in said counties in relation to said towns, cities and civil districts shall be performed and dis-

charged by the Commissioners of Election provided for by this Act.

Sec. 4. *Be it further enacted*, That whenever for any reason any judge or clerk so appointed fails to promptly attend, and by reason of his absence at the hour of holding the election, other persons shall be selected as is provided by law may be done, under sections 842 and 843 of the Code of Tennessee, the judges and clerks appointed from bystanders or freeholders, shall act only until the regularly appointed judge or clerk in whose stead he was appointed appears and demands, he shall be admitted to serve, and the person appointed to act in his stead shall cease to act, and shall retire; *Provided*, That any such person so appointed to serve instead of any officer, judge or clerk, shall be of the same political party as the person in whose stead he is selected to serve.

When specially appointed officers are to serve.

Sec. 5. *Be it further enacted*, That it shall be the duty of the officer holding the election, to deliver the polls or returns of the election, sealed, as received, to the said Commissioners of Election, not later than 12 o'clock m., on the first Monday after the election. On the first Monday after the election it shall be the duty of the Commissioners of Election to compile the said polls or returns at the court-house, and to certify in writing, signed by at least two of them, the result as shown by said polls or returns, and to deliver to each person elected a certificate of his election.

Returns of election.

When to be compiled.

Sec. 6. *Be it further enacted*, That the said commissioners shall cause a true copy of all the poll books, or poll lists used at or in every regular November election, to be made out, and when completed they shall file the same with the clerk of the county court to be preserved as records, for the period of four years, by him. The original poll books or poll lists, used at or in said November elections, shall be safely and securely kept by the Commissioners of Election, and without alteration, shall be sealed, and forwarded to the Secretary of State at Nashville, Tennessee, within ten days after the election. The original polls, or returns, used at or in the regular August elections, shall be delivered to the clerk of the county court, to be preserved by him, as records, for four years.

Poll lists to be preserved.

The clerks or copyist, employed to make out the copy for the county court clerk, shall receive as compensation twenty cents for every hundred names on the poll lists, which shall be paid as part of the expenses of the election, as the judges and clerks of election are now paid.

Compensation of copyist.

Sec. 7. *Be it further enacted*, That all laws, and parts of laws in conflict herewith, are hereby repealed.

Sec. 8. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 10, 1897.

JOSEPH W. BYRNS,

Speaker pro tem. of the House of Representatives.

JOHN THOMPSON,

Speaker of the Senate.

Approved February 11, 1897.

ROBT. L. TAYLOR,

Governor.

CHAPTER 14.

[HOUSE BILL NO. 18.]

AN ACT to preserve the purity of elections, and define and punish offenses against the elective franchise.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be unlawful for any person, directly or indirectly, by himself or through any other person:

Definition of offense.

(a) To pay, loan or contribute, or offer, or promise to pay, loan or contribute, any money or other valuable consideration to or for any voter, or to or for any other person, to induce such voter to vote or refrain from voting at any election provided by law, or to induce any voter to vote or refrain from voting at such election for any particular person or persons, or to induce such person to go to the polls or remain away from the polls at such election, or on account of such voter having voted or refrained from voting for any particular person, or having gone to the polls or remained away from the polls at such election.

(b) To give, offer or promise any office, place or employment, or to promise or procure, or endeavor to procure, any office, place or employment, to or for any voter, or to or for any other person, in order to induce such voter to vote or refrain from voting at any election provided by law, or to induce any voter to vote or refrain from voting at such election for any particular person or persons.

(c) To advance or pay, or cause to be paid, any money or other valuable thing to or for the use of any other

person, with the intent that the same or any part thereof shall be used in bribery at any election provided by law, or to knowingly pay or cause to be paid, any money or other valuable thing to any person in discharge or repayment of any money, wholly or in part expended in bribery at any such election.

Sec 2. It shall be unlawful for any person, directly ~~same~~ or indirectly, by himself or through any person:

(a) To receive, agree or contract for, before or during an election provided by law, any money, gift, loan or other valuable consideration, office, place or employment, for himself or any other person, for voting or agreeing to vote, or for going or agreeing to go to the polls, or for remaining or agreeing to remain away from the polls, or for refraining or agreeing to refrain from voting, or for voting or agreeing to vote, or refraining or agreeing to refrain from voting for any particular person or persons, measure or measures, at any election provided by law.

(b) To receive any money or other valuable thing during or after an election provided by law, on account of himself or any other person, for voting or refraining from voting for any particular person at such election, or on account of himself or any other person for going to the polls or remaining away from the polls at such election, or on account of having induced any person to vote or refrain from voting, or to vote or to refrain from voting for any particular person or persons, measure or measures, at such election.

Sec. 3. It shall be unlawful for any candidate for public office, before or during any election provided by law, to make any bet or wager with a voter, or to take a share or interest in, or in any manner become a party to any such bet or wager, or provide or agree to provide any money to be used by another in making such bet or wager, upon any event or contingency whatever, arising out of such election.

Betting by
candidate
unlawful.

Nor shall it be lawful for any person, directly or indirectly, to make a bet or wager with a voter, depending upon the result of any election provided by law, with the intent thereby to procure the challenge of such voter, or to prevent him from voting at such election. Any violation of this section shall be deemed a misdemeanor.

Sec. 4. It shall be unlawful for any person, directly or indirectly, by himself or any other person in his behalf, to make use of any force, violence or restraint, or to inflict or threaten the infliction, by himself or through any other person, of any injury, damage, harm or loss, or in any manner to practice intimidation upon

Violence and
intimidation
unlawful.

or against any person in order to induce or compel such person to vote or refrain from voting for any particular person or persons, measure or measures, at any election provided by law, or on account of such person having voted or refrained from voting at any such election. It shall be unlawful for any employer, either corporation, association, company, firm or person, in paying its, their or his employees the salary or wages due them, to enclose their pay in "pay envelopes" on which there is written or printed any political mottoes, devices or arguments, containing threats, express or implied, intended or calculated to influence the political opinion, views or actions of such employees. Nor shall it be lawful for any employer, either corporation, association, company, firm or person, within ninety days of any election provided by law, to put up or otherwise exhibit in its, their or his factory, workshop, mine, mill, boarding house, office or other establishment or place where its, their or his employees may be working or may be present in the course of such employment, any hand bill, notice or placard, containing any threat, notice or information, that in case any particular ticket or candidate shall, or shall not be elected, work in its, their or his establishment shall cease in whole or in part, or its, their or his workmen be reduced; or other threats, express or implied, intended or calculated to influence the political opinions or actions of its, their or his employees.

Grade of offense. Any person or persons, or corporation violating any of the provisions of this section shall be deemed guilty of a misdemeanor; and any person, whether acting in his individual capacity or as an officer or agent of any corporation, so guilty of such misdemeanor shall be punished as hereinafter prescribed.

Violence or force by corporations unlawful. Sec. 5. It shall be unlawful for any corporation or any officer or agent of any corporation to influence or attempt to influence, by force, violence or restraint, or by inflicting or threatening to inflict any injury, damage, harm or loss, or by discharging from employment or promoting in employment, or by intimidation or otherwise in any manner whatever, to induce or compel any employee to vote or refrain from voting at any election provided by law, or to vote or refrain from voting for any particular person or persons, measure or measures, at any such election. Any such corporation, or any officer or agent of such corporation, violating any of the provisions of this section, shall be deemed guilty of a misdemeanor and be subject to the penalty hereinafter provided, and in addition thereto, any cor-

Misdemeanor.

poration violating this section shall forfeit its charter and right to do business in this State.

Sec. 6. A person offending against any provision of sections 1 and 2 of this Act, is a competent witness against another person so offending, and may be compelled to attend and testify upon any trial, hearing, proceeding or investigation in the same manner as any other person.

But the testimony so given shall not be used in any prosecution or proceeding, civil or criminal, against the person so testifying, except for perjury in giving such testimony.

A person so testifying, shall not thereafter be liable to indictment, prosecution or punishment for the offense with reference to which his testimony was given, and may plead or prove the giving of testimony accordingly, in bar of such an indictment or prosecution.

Sec. 7. Any person convicted of any of the crimes or offenses mentioned in sections 1 and 2 of this Act, shall be punished by a fine of not more than one thousand dollars or by imprisonment in the State prison for not more than five years, or by both fine and imprisonment, and shall be disqualified from holding office or exercising the elective franchise for a period of six years; and any corporation or agent of a corporation, guilty of any offense herein made a misdemeanor, shall, upon conviction, be punished by a fine not exceeding one thousand dollars.

Said fines when collected to be paid into the public school fund of the State.

Sec. 8. The provisions of this Act shall extend, so far as applicable, to all elections provided by law, special or general.

Sec. 9. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed; provided, that the repeal of such Acts, or part of Acts, or any of them, shall not be construed to affect any offense committed or any prosecution or proceeding instituted or pending under the laws so repealed.

Passed February 10, 1897.

JOSEPH W. BYRNS,

Speaker pro tem. of the House of Representatives.

JOHN THOMPSON,

Speaker of the Senate.

Approved February 11, 1897.

ROBT. L. TAYLOR,

Governor.

CHAPTER 15.

[SENATE BILL No. 504.]

AN ACT to amend an Act entitled An Act to provide for the registration of voters in this State in counties having a population of 70,000 inhabitants or over that number, computed by the Federal Census of 1880, or which may hereafter have that number or over, computed by any subsequent Federal Census, and to towns, cities and civil districts having a population of 2,500 inhabitants or over, computed by the Federal Census of 1880, or which may hereafter have that number, or over that number, by any subsequent Federal Census.

Amendment. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 2 of Chapter 25 of Acts of Extra Session 1890, be, and the same is hereby amended by striking out the words, "Said Commissioners shall serve without compensation, but the County Court of each County in this State coming within the provisions of said Act of 1890, Chapter 25, shall have the right to pay out of the county revenue such amount, if any, as it deems the said Commissioners are entitled to.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 16.

[SENATE BILL NO. 146.]

AN ACT to amend the Act approved March 30, 1891, and being Chapter 224 of the Acts of 1891, and entitled An Act to amend An Act passed March 11, 1890, being Chapter 25 of the Acts of the First Extra Session of 1890, entitled "An Act to provide for the registration of voters in this State in counties having a population of seventy thousand (70,000) inhabitants or over that number, computed by the Federal Census of 1880, or which may hereafter have that number or over computed by any subsequent Federal Census, and to towns, cities and civil districts having a population of twenty-five hundred (2,500) inhabitants, or over, computed by the Federal Census of 1880, or which may hereafter have that number by any subsequent Federal Census, so as to cause said Act to cover and apply to all counties in Tennessee having by the Federal Census of 1890, or that may at any time thereafter have a population of fifty thousand (50,000) inhabitants or over, and to confer upon the Commissioners of Registration the authority and make it their duty to appoint in their respective counties, cities and towns, and voting precincts, one of the judges and one of the clerks of all elections held under the provisions of this Act, and to provide that the County Courts, sheriffs, mayors and boards of mayor and aldermen shall appoint judges for two political parties," so as to provide that the Commissioners of Registration shall appoint all the officers, judges and clerks of all elections, and prescribing and defining the duties of said Commissioners of Registration, officers, judges and clerks of elections.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 2 of the said Act, (Chapter 224, Acts 1891), in the caption mentioned, be so amended to read as follows:

That Section 3 of the said Act be, and it is hereby amended, by adding thereto the following: It is also made the duty of said Commissioners of Registration, and the power and authority is hereby conferred upon them, to appoint, prior to all the elections held under the provisions of this Act, the three judges and the two clerks, and officer or officers to hold such elections to the exclusion of the sheriffs and coroner, or other officer or person heretofore possessing said power of appointment of elections in each ward and district and voting precinct of the city or county to which this Act applies, and the county court, mayors and boards of mayor and aldermen and sheriffs in the counties and cities within the provisions of this Act are hereby

Amendment.

To appoint
election offi-
cers.

Former offi-
cers divested
of authority
to appoint.

Officers to be
of different
politics.

divested of the authority to appoint said officers, judges and clerks of said election. All three of the judges shall not be from the same political party, if persons from different political parties are willing to serve; and they shall be appointed from the two political parties most numerously represented in such ward or district.

To be resi-
dents.

The two clerks shall be of different political parties, if competent persons of different political parties are willing to serve.

Duty of offi-
cer of elec-
tion.

The judges and clerks shall be residents and citizens of the ward or district in which the voting places for which they are appointed are situated. They shall be appointed within sixty days prior to the election, and in due time to serve thereat.

Commission-
ers to make
returns.

Sec. 2. *Be it further enacted*, That it shall be the duty of the officer holding the election to deliver the polls or returns of the election sealed as received to the said Commissioners of Registration, not later than 12 o'clock m. on the first Monday after the election. On the first Monday after the election it shall be the duty of the Commissioners of Registration to compare the said polls or returns at the court house; and to certify in writing, signed by at least two of them, the result as shown by said polls, or returns, and to deliver said certificate to each person elected at said election.

Copy of poll
lists to be
preserved.

Sec. 3. *Be it further enacted*, That said Commissioners of Registration shall cause a true copy of all the poll books or poll lists used at, or in, every regular November elections to be made out, and when completed they shall file the same with the clerk of the county court, to be preserved as records, for the period of four years, by him.

Original lists
to Secretary
of State.

The original poll books or poll lists used at, or in, said November elections shall be safely and securely kept by the Commissioners of Registration, and without alteration shall be sealed and forwarded to the Secretary of State, at Nashville, Tennessee, within ten days after the election.

Compensation
of copyist.

The original polls or returns used at, or in, the regular August election shall be delivered to the clerk of the county court, to be preserved by him as recorded, for four years.

The clerk or copyist employed to make out the copy or copies for the county court clerk shall receive, as compensation, twenty cents for every one hundred names on the poll lists, which shall be paid as part of the expenses of the election, as the judges and clerks of the elections are now paid.

Sec. 4. *Be it further enacted*, That the duties imposed, and the powers conferred herein upon the Commissioners of Registration, shall apply to all national, State, county and municipal elections, and also to all special or called elections.

Sec. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 17.

[SENATE BILL NO. 202.]

AN ACT to amend Section 2 of An Act passed at the First Extra Session of the Forty-Sixth General Assembly of the State of Tennessee on the eleventh day of March, 1890, and approved March 13th, 1890, entitled, "An Act to provide more stringent regulations for securing the purity of elections in this State, and applicable to counties having a population of seventy-thousand (70,000) inhabitants and over, computed by the Federal Census of 1880, or which may hereafter have that number or over that number of inhabitants, computed by any subsequent Federal Census, and to cities having a population of nine thousand (9,000) inhabitants, or over, computed by the Federal Census of 1880, or which may hereafter have that, or over that number of inhabitants, computed by any subsequent Federal Census."

Section 1. *Be it enacted by the General Assembly of* Act amended
the State of Tennessee, That Section 2, Chapter 24, of An Act passed at the First Extra Session of the Forty-Sixth General Assembly of the State of Ten-

Tennessee on March 11th, 1890, and approved March 13th, 1890, entitled "An Act to provide more stringent regulations for securing the purity of elections in this State, and applicable to Counties having a population of seventy thousand (70,000) inhabitants and over, computed by the Federal Census of 1880, or which may hereafter have that number, or over that number of inhabitants computed by any subsequent Federal Census, and to cities having a population of nine thousand (9,000) inhabitants, or over, computed by the Federal Census of 1880, or which may hereafter have that, or over that number of inhabitants, computed by any subsequent Federal Census," be amended so as to provide that said Act be applicable to all counties in Tennessee having, according to the Federal Census of 1890, or which may hereafter have, by any subsequent Federal Census, a population of fifty thousand (50,000) inhabitants, or over that number, and to towns, cities and civil districts having a population of twenty-five hundred (2,500) inhabitants or over computed by the Federal Census of 1890, or which may hereafter have that number, or over that number, by any subsequent Federal Census.

Amendment.

Sec. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 18.

[SENATE BILL NO. 410.]

AN ACT to prohibit the use of funds belonging to corporations for electioneering, political or campaign purposes, and to punish all representatives of corporations who so use or consent to the use of corporate funds for this purpose.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be unlawful for the executive officers or other representatives of any corporation doing business within this State, to use any of the funds, moneys or credits of the corporation for the purpose of aiding either in the election or defeat of any candidate for office, national, State, county or municipal, or for the purpose of aiding in the success or defeat of any proposition submitted to a vote of the people, or in any way contributing to the campaign fund of any political party, for any purpose whatever.

Sec. 2. *Be it further enacted,* That every executive officer, agent, or other representative of any corporation, doing business within this State, who shall knowingly consent to, approve, or aid in the use of the fund of a corporation, for any of the purposes mentioned in Section 1, of this Act, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than five hundred dollars, nor more than two thousand dollars, and shall be imprisoned in the county jail or work house not less than two nor more than six months.

Sec. 3. *Be it further enacted,* That the grand juries of this State be given inquisitorial powers over all violations of this Act, and that the Circuit and Criminal Court Judges of this State be required to give this matter specially in charge to the grand jury at each term of their courts.

Sec. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 19.

[SENATE BILL NO. 221.]

AN ACT to provide for the regulation of fraternal beneficiary societies incorporated and doing business in this State, whether chartered under the laws of this State or under the laws of other States, for the purpose of furnishing life, indemnity or pecuniary benefits to beneficiaries of deceased members, and to provide for the supervision and control of such societies in this State, and to repeal all laws now existing which conflict herewith.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That every incorporated association or society doing business in this State on the lodge system with ritual form of work and representative form of government for the purpose of making provisions for the payment of death benefits, formed and organized for the sole benefit of its members, and their beneficiaries, and not for profit, be, and the same is hereby declared to be a "fraternal beneficiary society or association," and any incorporated association or society, not doing business on the lodge system with ritualistic form of work, which shall show to the satisfaction of the insurance commissioners that its business is so conducted as to make it a fraternal beneficiary society or association within the true meaning of this Act, shall be permitted to do business in this State upon compliance with the provisions of this Act.

Fraternal beneficiary societies, what are.

Funds, how derived.

Sec. 2. *Be it further enacted,* That the fund from which the payment of benefits, as provided for in Section 1 of this Act, shall be made, and the fund from which the expenses of said association shall be defrayed, shall be derived from assessments or dues collected from its members. Such societies or associations shall be governed by this Act, and shall be exempt from the provisions of all insurance laws of this State, and no law hereafter passed shall apply to said societies unless it be expressly designated therein.

To make annual reports.

Sec. 3. *Be it further enacted,* That such societies or associations doing business in this State, shall on or before the first day of March of each year, make and file with the insurance commissioner of this State, a report of its affairs and operations during the year ending on the 31st day of December immediately preceding, together with a copy of its constitution and laws then in

force, which annual report shall be in lieu of all other reports required by any other law. Such report shall be on blanks provided by the insurance commissioner, and shall be verified under oath by the duly authorized officer or officers of such society or association, and shall be published, or the substance thereof, in the annual report of the insurance commissioner, under a separate head, entitled, "Fraternal Beneficiary Societies," and for the filing of said report said society or association shall pay a fee of ten (\$10.00) dollars.

Sec. 4. *Be it further enacted*, That any such societies incorporated and organized under the laws of this State may provide for the meeting of its supreme legislature, or governing body in any other State, province or territory, wherein said society shall have subordinate lodges, and all business that has been heretofore, or may hereafter be transacted at such meetings, shall be as valid in all respects, as if such meetings were held within this State; *Provided*, however, that the principal business office of such society shall always be kept within this State and never removed therefrom.

Meeting of supreme body.

Sec. 5. *Be it further enacted*, That any such fraternal Reciprocity. beneficiary society as is defined by this Act, organized and doing business under the laws of another State, district, province or territory, may be admitted to transact business in this State upon the same conditions as are prescribed by the laws of such State for the admission of like societies or associations, organized under the laws of this State, to do business in such State, district, province or territory.

Sec. 6. *Be it further enacted*, That all laws or parts of laws in conflict with this Act are hereby repealed.

Sec. 7. *Be it further enacted*, That this Act shall be in force from and after its passage, the public welfare requiring it.

Passed April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 20.

[HOUSE BILL NO. 13.]

AN ACT to regulate and restrict the payment of costs and fees in criminal prosecutions.

State and county not liable for costs.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That neither the State of Tennessee nor any county thereof shall pay or be liable in any criminal prosecution for any costs or fees hereafter accruing, except in the following classes of cases:

Exceptions.

1. Cases of homicide, rape, robbery, burglary, arson, embezzlement, incest or bigamy, where the prosecution has proceeded to a verdict in the circuit or criminal court.

2. Cases under the small offense law where the defendant has submitted before a Justice of the Peace and been sent to the work house; and,

3. All cases where the defendant has been convicted in a court of record and the execution issued upon the judgment against the defendant has been returned *nulla bona*; *Provided*, that neither the State of Tennessee, nor any county thereof shall be liable for, or pay any costs in any criminal case, where security has been accepted by the officer taking the security, and an execution, afterwards returned *nulla bona*, as to the defendant and his securities; *Provided*, that compensation for boarding prisoners, expenses of keeping and boarding juries, compensation of jurors, costs of transcripts in cases taken to the Supreme Court by appeal or writ of error, mileage and legal fees for removing or conveying criminals and prisoners from one county to another, or in one jail to another, and compensation and mileage of witnesses for the State duly subpoenaed and required to attend before any court, grand jury or magistrate in a county other than that of their residence and more than five miles from such residence, and where any witness for the State shall be confined in jail to await the trial in which he is to testify, shall be paid in all cases as heretofore.

Witnesses living within five miles receive no pay.

Sec. 2. *Be it further enacted,* That neither the State of Tennessee nor any county thereof shall pay or be liable in any criminal case or prosecution for the fees, costs or mileage which may hereafter accrue in favor of any witness who shall, at the time of his attendance as

such witness before any court, grand jury or magistrate, reside within five miles of the place where he attends as such witness.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring.

Passed February 2, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 3, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 21.

[SENATE BILL NO. 55.]

AN ACT to further enforce the collection of State tax from insurance agents, as provided in Chapter 4, Acts of 1895, second session.

Whereas, By the provisions of Section 3, of Chapter Preamble. 4, of the Acts of 1895, Second Session, it is required of each insurance agent, writing or soliciting insurance in this State, to pay a State tax of \$10.00 per annum direct to the Treasurer of the State, and,

Whereas, It is not possible, under the present law, for the Treasurer to enforce the collection of this tax from all agents; therefore,

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That in order to further enforce the collection of this tax, the Treasurer of the State, whenever any insurance agent has failed or refused to make payment of the required tax, may report such agent to the county court clerk of the county in which such agent resides, as a delinquent, and it shall then become the duty of the county court clerk to enforce the collection of the tax from such agent by the means

Delinquent
tax, how col-
lected.

usually employed for the enforcement of the collection of privilege taxes, and the county court clerk may add a penalty of fifty per cent. to the amount of the tax, "one half of which penalty he may retain as compensation for his services, and the other one half to be by him accounted for and paid into the Treasury in like manner as the tax."

Clerk to report
to the State
Treasurer.

Sec. 2. *Be it further enacted*, That it shall be the duty of the county court clerk to report at once to the Treasurer of State, the tax collected by him under this law, giving the name and postoffice address of the agent from whom collected, and it shall be the duty of the Treasurer to furnish the county court clerk with a receipt which shall show name and postoffice address of each agent, and the amount paid by each.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 19, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved January 22, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 22.

[SENATE BILL No. 77.]

AN ACT to amend Section 4815 of the Code of 1858, to prevent State and county officers from speculating in State and county claims.

Amendment.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section forty-eight hundred and fifteen (4815) of the Code of 1858 be amended by inserting after the words "officer" and before the word "either" in said Section the following words:

"Or county officer of any kind whatsoever either elected by the people or county court or appointees by

the county chairman or judge or other county officer," so as to make said Section 4815 read as follows:

"For any judicial, ministerial, or executive officer, or county officer of any kind whatsoever, either elected by the people or county court, or appointed by the county chairman, or judge or other county officer, either directly or indirectly, to speculate in State or county claims by purchasing or trading for them at less than their nominal amount."

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 1, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 4, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 23.

[SENATE BILL NO. 88.]

AN ACT to make it lawful for parties lending money in Tennessee wholly secured by mortgages on property in other States to contract for such rate of interest as is allowed by the laws of the State where the mortgaged property is situated, and to permit lenders in all cases of loans heretofore made in this State, and wholly secured by mortgages on property in other States, to collect the principal loaned with interest at the rate contracted for, provided it does not exceed the rate allowed by the laws of the State where the property lies.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall hereafter be lawful Situs of land to fix rate of interest. in all cases where money is loaned in this State, and is secured wholly by mortgage or trust deeds on property, real or personal, situated in some

other State for the lender to contract for any rate of interest, not to exceed the rate allowed by the law of the State where the property pledged as security is situated.

Sec. 2. *Be it further enacted*, That in all cases of loans heretofore made in this State, and wholly secured by mortgage or trust deed on property, either real or personal, situated in some other State, it shall be lawful for the lender to collect the amount loaned with interest at the rate contracted for, provided, said rate does not exceed the rate of interest allowed by the law of the State, where the property pledged as security is situated.

Sec. 3. *Be it further enacted*, That all laws and parts of laws in conflict with this Act, be, and the same are repealed.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 24.

[SENATE BILL NO. 129.]

AN ACT to authorize district attorneys-general in districts or circuits in which there is a county having a population of 50,000 or more under the Federal Census of 1890, or in which there may hereafter be a county having a population of 50,000 or more under any subsequent census, to appoint an assistant, and to provide for the compensation of such assistant.

Attorney-general may appoint assistant, when.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in any district or circuit of the State of Tennessee in which there is a county having a population of 50,000 or more under the Fed-

eral Census of 1890, or in which there may hereafter be a county having a population of 50,000 or more under any subsequent census, the district attorney general is hereby authorized to appoint an assistant whose compensation shall be at the rate of \$1,200.00 (twelve hundred dollars) per annum, payable quarterly out of the State Treasury, upon the warrant of the Comptroller.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 28, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 2, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 25.

[SENATE BILL NO. 3.]

AN ACT to postpone the foreclosure of certain mortgages or trust deeds, and validate contracts heretofore made by foreign corporations in this State, where such corporations failed to comply with the requirements of Chapters 95 and 122 of the Acts of 1891, and Chapter 31 of the Acts of 1877, providing that any such corporation desiring to own property or to carry on business in this State shall file a copy of its charter in the office of the Secretary of State, and cause an abstract of the same to be recorded in the office of the Register in each county in which such company desires to carry on business or own property, passed May 9, 1895, and approved May 10, 1895, being Chapter 119 of Acts of 1895.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act passed May 9, 1895, approved May 10, 1895, and being Chapter 119 of Acts of 1895, and entitled, "An Act to postpone the foreclosure of certain mortgages or trust deeds, and to validate contracts heretofore made by foreign corporations in this State, where such corporations failed to comply with the requirements of Chapters 95 and 122 of the

Act May 9, 1895,
amended.

Amendment. Acts of 1891, and Chapter 31 of the Acts of 1877, providing that any such corporation desiring to own property, or carry on business in this State shall file a copy of its charter in the office of the Secretary of State, and cause an abstract of the same to be recorded in the office of the register in each county in which such company desires to carry on business or own property," be, and is hereby amended by adding after the words, or shall, within four months after the passage of this Act, so file such charter and abstracts of the same.

In the first Section of said Act the words "or to such foreign corporations, as in good faith, shall before September 9, 1895, have complied with the provisions of Chapter 122 of Acts of 1891, as modified and amended by the provisions of Chapter 81 of Acts of 1895; entitled, "An Act to amend Sections 2, 3 and 4 of An Act passed March 21, 1891, being Chapter 122 of said Acts," etc.

Repeal. Sec. 2. *Be it further enacted,* That all laws and parts of laws as are in conflict with the provisions of this Act be, and the same are to the extent of said conflict, hereby repealed; and that said Act take effect from and after its passage, the public welfare requiring.

Passed March 22, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 26.

[HOUSE BILL NO. 330.]

AN ACT to require all Clerks of courts and Clerks and Masters to keep cash books, and to make it a misdemeanor to fail to keep same.

All clerks to
keep cash
books.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all of the clerks of the courts of this State, and clerks and masters shall keep a cash book as one of the public records of their respective offices, in which they shall enter, under each case, all sums of money received or disbursed by them, showing the date of receipt or disbursement, on what account

received or disbursed and to or from whom received or disbursed. Said book shall be indexed direct and reversed. It shall at all times be open to the inspection of the public; and it shall be a misdemeanor for any clerk or clerk and master, to fail to keep said book or to allow its inspection as herein provided.

Passed April 10, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 27.

[SENATE BILL NO. 336.]

AN ACT to require clerks of courts of record in this State to keep a judgment index.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it is hereby made the duty of the clerk of the courts of record in this State, and they are hereby required to keep a judgment index in which the name of each person, partnership, firm or corporation against whom a judgment or decree is rendered shall be entered under the proper alphabet or letter of such person, partnership, firm or corporation, giving the date, number of the cause and amount of such judgment.

Each page of said index shall have four columns as follows:

Name.	Date.	No.	Cause.	Amount.
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Two sets of these columns may be on each page.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 28.

[SENATE BILL NO. 581.]

AN ACT to authorize, empower and direct the State Funding Board to issue registered bonds in lieu and substitution of the outstanding coupon bonds of the State.

Funding
Board author-
ized to issue
registered
bonds.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the State Funding Board, composed of the Governor, Treasurer and Comptroller of State, be, and they are hereby authorized, empowered and directed to issue, upon the request of any bond holder offering to comply with the terms of this Act, registered bonds of the State of Tennessee in denominations of \$500.00, \$1,000.00, \$5,000.00 and \$10,000.00, only in lieu and substitution of the outstanding coupon bonds of the State which have been issued under Acts 1893, Chapter 84, Acts 1891, Chapter 217, Acts 1893, Chapter 97, and Acts 1893, Chapter —, or which may hereafter be lawfully funded under said Acts of 1893, Chapter 84; *Provided*, the holders of coupon bonds desiring to avail themselves of the benefits of this Act shall first surrender the same for cancellation, and shall tender and pay to meet the expenses and indemnify the State against costs of the exchange, the following fees, to-wit: for each registered bond issued of \$10,00.00, \$3.00; of \$5,000.00, \$2.00; of \$1,000.00, \$1.00, and of \$500.00, 55 cents.

Fees.

The expenses of executing this Act shall be paid in the first instance out of the State Treasury.

Suitable forms
of bonds to
be secured.

Sec. 2. *Be it further enacted,* That said Funding Board be, and is hereby authorized and directed to procure suitable forms of registered bonds for each of said series of coupon bonds to be engraved and printed, taking care that the new bond shall in no respect vary or modify the State's contract as contained in the existing bonds, except in the matter of form herein indicated, and that the form of registered bond adopted shall comply with the usages and be acceptable to the commercial world.

Coupon bonds
to be canceled

Sec. 3. *Be it further enacted.* That said Funding Board shall promptly cancel the bonds and coupons that shall be called in under this Act in such manner as shall effectually prevent their fraudulent circulation or negotiation to the prejudice or loss of the State. They shall likewise keep a full record of the bonds thus cancelled, each series separately.

Sec. 4. *Be it further enacted*, That the substitution registered bonds for each of said series of coupon bonds shall be numbered and kept separately, and a perfect record of the registered bonds that shall be issued shall be kept by the Secretary of State, as now provided by law as to existing bonds.

The Treasurer shall likewise keep a full and complete record of the registered bonds issued under this Act.

The Comptroller shall likewise keep in his office an appropriate bond book and such record of the bonds issued under this Act as will prevent any mistake as to their identity.

Sec. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 29.

[SENATE BILL NO. 256.]

AN ACT to amend Sections 527 and 5571 of the Code of Tennessee, being Sections 585 and 6447 of the Milliken & Vertrees compilation, by adding certain words to each of said sections.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the following words be added to each of Sections 527 and 5571 of the Code of Tennessee, being Sections 585 and 6447 of the Milliken & Vertrees Compilation, to-wit: In making said certificate the Judge and Attorney-General shall certify the aggregate amount of each bill of cost, writing said aggregate amount in both words and figures, and no bill of cost shall be paid unless so certified.

Bills of costs,
how certified.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 30.

[HOUSE BILL NO. 158]

AN ACT to prohibit the sale, or offering for sale, or bringing into the State for the purpose of sale, or giving away of any cigarettes, cigarette paper or substitute thereof.

Misdemeanor. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be a misdemeanor for any person, firm or corporation to sell, offer to sell or to bring into the State for the purpose of selling, giving away or otherwise disposing of any cigarettes, cigarette paper or substitute for the same; and a violation of any of the provisions of this Act shall be a misdemeanor punishable by a fine of not less than fifty dollars.

Inquisitorial powers. Sec. 2. *Be it further enacted,* That the grand juries shall have inquisitorial power over offenses committed under this Act.

Sec. 3. *Be it further enacted,* That this Act take effect from and after the 1st day of May, 1897, the public welfare so requiring it.

Passed February 9, 1897.

JOSEPH W. BYRNS,
Speaker pro tem. of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 31.

[SENATE BILL NO. 492.]

AN ACT to authorize, direct and provide for the sale and conveyance to the purchaser of two and nine-tenth acres, more or less, of the Hermitage farm, in Davidson County.

Section 1. *Be it enacted by the General Assembly of the State Tennessee,* That the portion of the Hermitage Farm, situated in the fourth civil district of Davidson County, and bounded on the North and West by the Nashville and Lebanon Turnpike, on the East by the Quam and Berry place, and on the South by an avenue separating said lot from the church lot, be sold, and the proceeds of sale deposited in the State Treasury to the credit of the Trustees of the Soldiers' Home to be used by them for some permanent improvement on the farm.

Portion of
Hermitage
farm to be
sold.

Sec. 2. *Be it further enacted,* That the Comptroller of the State Treasury, be, and he is hereby authorized and directed to sell said lot to the highest bidder for cash and to make to the purchaser a conveyance of title to the same; *Provided*, that the Comptroller furnish himself with a survey and plot of said lot made by a competent surveyor; that he advertise the time, terms and place of sale in some newspaper published in the city of Nashville, for not less than thirty days; that no bid be received for less than one hundred dollars per acre, and that the purchaser pay, in addition to the purchase price bid for the lot, all expenses incurred in surveying, advertising, selling and conveying title to the same to him by the Comptroller.

Comptroller
authorized to
sell.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 32.

[HOUSE BILL NO. 110.]

AN ACT to require applicants for charters of incorporation, or amendments thereto, to fix the amount of the capital stock of the corporation for which charter is sought in the charter or amendment, and to pay a privilege tax upon the charter, graded by the amount of capital stock.

To fix amount
of the capital
stock, and in-
crease of the
same.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all persons applying to the State of Tennessee for any charter of incorporation to be organized for profit shall fix in the charter applied for the amount of the capital stock of the proposed incorporation and any corporation already chartered or that may hereafter be chartered making application for an amendment to its charter shall on such amendment fix the proposed increase of the capital stock, and no corporation now or hereafter created shall increase its capital stock except by an amendment to its charter, which amendment shall be made in the manner now or hereafter provided by law. And all persons applying for charters of incorporation, and all corporations applying for amendments to their charters shall pay to the Secretary of State as a privilege tax for the granting of such charter or amendment one-tenth of one per centum upon the capital stock so fixed in the charter applied for or upon the increase of the capital stock sought to be made by the amendment to the charter; and the Secretary of State shall not grant any charter or any amendment increasing the capital stock unless said privilege tax is paid, and he shall account for and pay into the Treasury of the State all moneys so received by him monthly, making a report under oath of the amount so collected.

Privilege tax.

In lieu of all
other taxes.

Sec. 2. *Be it further enacted,* That the privilege tax herein provided for shall be in lieu of all other privilege taxes upon granting charters of incorporations or amendments thereof; and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 30, 1897.

ROBT. L. TAYLOR,

Governor.

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CHAPTER 33.

[SENATE BILL NO. 414.]

AN ACT to provide for the completion of the transcribing of records of the Hiwassee District Land Office, and to make certified copies of same legal evidence.

Whereas, The books of the Hiwassee District Land ~~Preamble.~~ Office were destroyed during the war; and,

Whereas, Said records can be largely supplied by the original entries, grants, certificates of purchase and survey, now in said office in the form of loose papers, which were originally recorded in said destroyed books; and,

Whereas, Said papers are of great value, constituting as they do, the only record evidence to large and valuable tracts of land, and it is therefore an imperative necessity that said records be preserved; and,

Whereas, By Act of 1891, \$500.00 was appropriated toward supplying and transcribing these records; but the same having been exhausted, and said records not completed; therefore,

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Register of the Hiwassee District Land Office, be, and he is hereby authorized to purchase three well bound books in which to make full and exact copies of said entries, grants, certificates of purchase and original surveys pertaining to said Hiwassee District Land Office.

Register to purchase books.

Sec. 2. *Be it further enacted,* That said entries, grants, certificates of purchase and surveys, when thus transcribed, shall become part of the records of the Hiwassee District Land' Office, and certified copies thereof shall be received as legal evidence in all courts.

Official records.

Sec. 3. *Be it further enacted,* That the register shall receive as compensation for said work of indexing and transcribing said records (5) five cents per hundred words, and upon the completion of said work, the register shall certify the cost of the same, including the cost of the books, to the Comptroller, who shall draw his warrant upon the State Treasurer after said bills of cost shall have been approved by the Judge and Attorney-General of the 17th judicial circuit, which shall be paid out of any money in the Treasury, not otherwise appropriated; *Provided,* that not more than \$600.00, shall

Compensation of register.

be allowed for the purchase of said books, and all the work to be performed by the register under this Act.

Passed April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 34.

[SENATE BILL NO. 51.]

AN ACT to prescribe and define certain presumptions of law, which shall govern the courts of this State in all proceedings involving the title, ownership, or possession of real estate held or claimed under sheriff's deed, executed before the eighth day of June, A.D. 1861, and to amend Section 1, Chapter 42, of an act of the General Assembly of the State of Tennessee, passed June 27, 1870, and approved June 29, 1870, and carried into the compilation of the statutes of Tennessee by Milliken & Vertrees at section four thousand five hundred and forty (4540) and to amend said Section 4540 of said compilation of the statutes of Tennessee by Milliken & Vertrees.

*Titles to vest,
when.*

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That in all actions, or proceedings now pending, or hereafter to be brought in any of the courts of this State in which the title to, or possession of any real estate held or claimed by either party to such litigation or proceedings under or by virtue of a sheriff's deed executed prior to the 8th day of June, 1861, it shall be presumed that the courts rendering the judgment had jurisdiction of the parties, and of the subject matter of the litigation, and had legal power and authority to render said judgment, and the judgment, execution, levy, sale and all the proceedings upon which said sheriff's deed purports to have been based were regu-

lar, legal and valid, and that the lands were advertised for sale, and notice given as required by law, and that all the recitals in said sheriff's deed shall be held to be *prima facie* true, whether said deed be directly, or collaterally attacked, provided that nothing herein contained shall prevent any party in interest to said action, or proceedings, from averring and proving by affirmative evidence that said judgment, execution, levy, sale or other proceeding, or recitals upon which said deed purports to be based, were irregular, untrue or void.

No bar to action.

Sec. 2. *Be it further enacted by the General Assembly of the State of Tennessee,* That Section 1, of Chapter 42, of the Acts of the General Assembly of the State of Tennessee of 1870, passed June 27, 1870, and approved June 29, 1870, and carried into Milliken & Vertrees' compilation of the Statutes of Tennessee of Section 4,540 thereof, and also said Section 4,540 of Milliken & Vertrees' compilation of the Statutes of Tennessee, be, and the same are hereby so amended as to embrace and include therein, in addition to the provisions therein contained, all the provisions contained in the first Section of this Act.

Amends Section 4540 M. & V. Code.

Sec. 3. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

Sec. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 3, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 6, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 35.

[SENATE BILL NO. 204.]

AN ACT to prohibit officers, clerks, and employees of courts from speculating on or in the judgments of courts and the claims of litigants, and to provide a penalty for the violation of this Act.

*No court officer
to speculate in
witness fees.* Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That no officer, clerk or employee of any court of this State shall speculate on, or in, the judgment of any court of this State in any manner whatever, or purchase, trade for or speculate directly or indirectly on, or in the claims of litigants or costs or witness fees arising out of any case in any court of this State.

*Nor buy prop-
erty sold
through
court.* Sec. 2. *Be it further enacted,* That no officer, clerk or employee of any court of this State shall directly or indirectly bid for or purchase for himself or other person any kind of property sold through any court of this State located or held in any county in which said officer, clerk or employee is discharging his official duties.

Sec. 3. *Be it further enacted,* "That any officer, clerk or employee wilfully violating any provisions of this Act shall be fined not less than one hundred dollars, nor more than five hundred dollars."

Passed March 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 15, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 36.

[HOUSE BILL NO. 66.]

AN ACT to provide for the collection and disbursement of the public school funds.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county trustee of each county shall make quarterly settlements with the county judge or chairman of the county court of all school funds arising from State or county levies, or from any other source for school purposes; and shall also make with said county judge or chairman of the county court quarterly distribution of the school moneys in his hands, and shall report the same to the county superintendent and to the directors of the several school districts; and the county superintendent of public instruction for the county shall be present at each quarterly settlement and distribution of the school fund, and shall have supervision thereof.

Sec. 2. *Be it further enacted,* That said county trustee shall also make annual settlements of the school fund with said county judge or chairman of the county court before July 15th of each year for the school year ending June 30th previous; and in said settlement, said trustee shall be charged with all tax aggregates, picked up taxes, and with all funds which have come or ought to have come into his hands for the school purposes, and shall be credited with all releases granted by the county court, with his lawful commissions, and with all amounts lawfully disbursed; and the county superintendent of public instruction shall be present at such annual settlement and shall have supervision thereof.

Sec. 3. *Be it further enacted,* That it shall be the duty of the county superintendent to make quarterly reports to the State superintendent on or before the 15th day of January, April, July and October of each year, setting forth an amount of the school funds derived from all sources in accordance with the forms or on the blanks provided by the State superintendent.

Sec. 4. *Be it further enacted,* That the county trustee shall, on or before July 15th of each year, make annual reports to the county superintendent and to the State superintendent for the school year ending June 30th previous, in accordance with the forms or on the blanks

Trustees to
make quar-
terly settle-
ments of the
school fund.

Annual settle-
ments.

County super-
intendent to
report quar-
terly.

Trustee to
make annual
report to su-
perintendent.

Form of report

provided by the State superintendent; and said annual report shall set forth an account for all moneys received during the school year under the heads of "Amount on hand at beginning of school year," "Gross Amount Received," "From State, from county, from school districts and from all other sources," and an account of all moneys expended during said school year under the heads of "Salaries of Teachers," "School Sites, Buildings and Repairs," "Furniture and Fixtures," "Libraries, Maps, Charts and Apparatus," "Paid District Clerks," "Paid County Superintendent," "Retained as Fees of Trustee," "All other expenses," and "The Balance on hand at the end of school year."

Sec. 5. Be it further enacted. That whenever it shall appear to the county superintendent that any portion of the school fund has been, or is in danger of being lost, misappropriated or in any way illegally disposed of or not collected, it shall be the duty of said county superintendent to report the same to the county court at any quarterly term of said court, and also to report the same to the State superintendent.

**State Superiu-
tendent to
protect funds.**

Sec. 6. Be it further enacted, That whenever it shall appear to the State superintendent from the report of county superintendent, or from other information, that any portion of the school fund has been lost, misappropriated or in any way illegally disposed of, or not collected, it shall be the duty of the State superintendent, and he shall have power to employ a resident attorney to look after the recovery and collection of such fund; and for his services in such behalf, said attorney may retain, out of moneys actually recovered and collected by him, not exceeding ten per cent. thereof; and in no case shall said attorney receive any pay for said services except his commission as aforesaid, retained out of moneys actually collected, accounted for and paid over by him to the officer lawfully entitled to receive the same.

**Failure to re-
port a misde-
meanor.**

Sec. 7. Be it further enacted, That it shall be a misdemeanor in office, punishable by fine, for any county superintendent or county trustee to fail or refuse to make any of the reports provided for in this Act, and in the event of such failure or refusal it shall be the duty of the officer to whom such report is due, unless said report is made within thirty days after the date fixed by law, and to certify said failure or refusal to the attorney-general for the county in or from which said failure or refusal shall have occurred.

Sec. 8. *Be it further enacted*, That all laws or parts of laws in conflict with this Act be; and the same are hereby repealed.

Sec. 9. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed February 2, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 4, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 37.

[SENATE BILL NO. 247.]

AN ACT to amend Section 8 of an act entitled "An act to govern and regulate the business of insurance, other than life and casualty insurance upon the assessment plan, and to repeal all laws or parts of laws in conflict with this Act," passed May 11, 1895, approved May 13, 1895.

Section 1. *Be it enacted by the General Assembly of Amendment. the State of Tennessee,* That the second paragraph of Section 8 of the Act mentioned in the caption of this Act, being Chapter 160, Acts of 1895, is hereby amended so as to read as follows: To determine the liability upon the contracts of insurance for foreign insurance companies, other than life, the insurance commissioner shall require such companies to charge as the liability for re-insurance of outstanding policies, fifty per cent. of the premiums received on policies or risks having not more than one year to run, and a pro rata of all premiums received on policies or risks having more than one year to run. To determine the liability upon the contracts of insurance of a domestic insurance company, other than life, the insurance commissioner shall require such com-

panies to charge as the liabilities for re-insurance of its outstanding policies fifty per cent. of the premiums received on policies or risks having not more than one year to run, and a pro rata of all premiums received on policies or risks having more than one year to run, after first deducting from said premiums the actual amount retained by, or paid to, the agent as commission on such premiums.

Sec. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this Act, be, and the same are hereby repealed.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 17, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 38.

[SENATE BILL No. 455.]

AN ACT to provide for the maintenance of the National Guard State of Tennessee for the years 1897 and 1898.

\$20,000 appropriated.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That there is hereby appropriated out of the State Treasury, chargeable to the State revenue funds for the support and maintenance of the National Guard State of Tennessee, the sum of \$20,000.00 the same to be used as directed and apportioned by the Governor and Adjutant-General, for the maintenance, equipping and improving the efficiency of said National Guard State of Tennessee. That the amount appropriated shall be paid by the State Treasurer on the warrants of the Comptroller, which warrants shall be

issued on the requisition of the Adjutant-General approved by the Governor.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 39.

[HOUSE BILL NO. 45.]

AN ACT to provide for the employment of convicts in this State

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Board of Prison Commissioners, be, and are hereby authorized and empowered to contract for the hire or labor of convicts now confined or that may hereafter be confined in the State Penitentiary, not otherwise employed, to any person, persons, firms, companies or corporations desiring to carry on a manufacturing or other business within the walls of the State Penitentiary.

Be it further enacted, That not more than 99 convicts shall be leased to any one firm or be employed in any one business within the walls of the Penitentiary.

Sec. 2. *Be it further enacted*, That it shall be the duty of said Board of Prison Commissioners in making contracts for the labor of convicts under this Act to let them to such person, persons, firms, companies or corporations, and in such numbers as will yield the greatest amount of revenue to the State of Tennessee.

Sec. 3. *Be it further enacted*, That all convicts employed under this Act, shall at all times be under the care and supervision of the Board of Prison Commissioners, and it shall be the duty of said Board to see that said convicts so employed shall be humanely treated,

Commission-
ers to con-
tract for
hiring con-
victs.

Limit.

To yield great-
est amount of
revenue.

Convicts to be
in care of
Commiss-
ioners.

and that they have comfortable clothing and wholesome food at all times.

Limit of contracts.

Sec. 4. *Be it further enacted*, That no contract for the labor of convicts, made under the provisions of this Act, shall extend beyond the 1st day of March, 1903.

State officers to approve contracts.

Sec. 5. *Be it further enacted*, That no contract for the labor of convicts made under this Act shall be valid and binding on the State of Tennessee until such contracts have been signed by the Board of Prison Commissioners and approved by the Governor, Attorney General and Secretary of State, and provided that at least two of the State officials must approve the contract.

Hire to be paid monthly.

Sec. 6. *Be it further enacted*, That the amount due the State for the hire of any convicts, upon any contract made under this Act, shall be due and payable monthly and the date of payment for the labor of said convicts shall be set out in the face of all contracts made under the provisions of this Act. The Board of Commissioners shall require the lessees to execute a bond with good security in double the amount for which they agree to pay for the hire of said convicts.

Commissioners to pay into treasury.

Sec. 7. *Be it further enacted*, That it shall be the duty of said Board of Prison Commissioners to collect all sums due the State for the labor of convicts when due, as provided herein, and pay the same into the State Treasury, taking receipt therefor, said receipt to show on its face from whom said amounts have been collected by said Prison Commissioners.

To regard interests of free labor.

Sec. 8. *Be it further enacted*, That it shall be the duty of the Commissioners in making contracts to so make them that competition with free labor shall be the least possible and that the manufacturing industries established within the penitentiary shall be as diversified as practicable or possible for the best interest of the State at the same time having due regard for the interests of free labor.

Sec. 9. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 1, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 3, 1897.

ROBT. L. TAYLOR,

Governor.

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CHAPTER 40.

[SENATE BILL NO. 354.]

AN ACT to authorize the funding of scrip certificates.

Whereas, Certain scrip certificates were issued¹ by ^{Preamble.} the funding board under and pursuant to the Funding Act of 1882, and,

Whereas, The Funding Act of 1883 provided for refunding the bonds issued pursuant to said Act of 1882, but failed to make any specific provisions for the refunding of said scrip certificates which are, equally with the funds issued under the Act of 1882, entitled to be funded, therefore,

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the funding board be, and they are hereby empowered, authorized and directed to refund all outstanding scrip certificates issued by said board, under and pursuant to said Funding Act of 1882, including interest thereon at the rate of 3 per cent. from the date of their issuance until this Act shall take effect. Such refunding of such scrip certificates shall be made upon the basis and terms fixed by said Act of 1883, as to the refunding of bonds issued by said Act of 1882.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 41.

[HOUSE BILL NO. 14.]

AN ACT to provide for the payment of salaries to District Attorneys-general, and to provide for the payment to the State of all Attorneys-general's fees which may be collected from defendants or prosecutors paying costs.

District attorneys to receive salary. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That in lieu of all fees, costs or other compensation, each District Attorney-general in this State shall receive a salary of twenty-five hundred dollars per annum, payable quarterly out of the Treasury of the State upon the warrant of the State Comptroller.

Fees of attorneys-general to go to State. Sec. 2. *Be it further enacted,* That the fees now provided by law for said Attorneys-general shall, as against the defendant or prosecutor, remain a part of the costs in each criminal case, where costs are in any way adjudged against and paid by the defendant or the prosecutor, and when collected, shall be paid over to the clerk of the criminal or circuit court of the county where the case is pending, and shall be by him reported and transmitted to the State Comptroller at the same time and in the same manner as other State revenue is by law required to be reported and transmitted.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 22, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved January 27, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 42.

[SENATE BILL NO. 281.]

AN ACT to amend Chapter 180, Acts of 1893, passed April 10, 1893, and approved April 10, 1893, entitled "An act to prevent the spread of communicable diseases among domestic animals in the State of Tennessee," and to provide greater protection to the live-stock industry of the State, and to provide penalties for the violation of same.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be the duty of the owner or person in charge of any domestic animal or animals, who discovers, suspects or has reason to believe that any such animal or animals as aforesaid are affected with any communicable disease, to immediately report the fact, belief or suspicion, to the County Board of Health of the county in which said domestic animal or animals are found.

Sec. 2. *Be it further enacted,* That it shall be the duty of the State Board of Health to co-operate with the officials of the Federal Government, and with those of other States in establishing interstate quarantine lines, and in the enforcing of such rules and regulations, as shall best protect the live stock industry of this State against splenetic or Texas fever.

Sec. 3. *Be it further enacted,* That the County Board of Health of each county, whenever any case or cases of communicable disease among the domestic animals of their county is reported to exist, they shall immediately cause the same to be investigated, preferably, by a qualified veterinarian, and should such investigation show a reasonable probability that such animal or animals is affected with a communicable disease the said County Board of Health shall immediately establish such temporary quarantine as may be necessary in their judgment to prevent the spread of such disease, and they shall without delay report all action taken to the State Board of Health, and the acts of the said County Board of Health establishing said temporary quarantine shall have the same force and effect as though established by

Duties of
county boards
of health.

Expenses.

the said State Board of Health, until such [time] as the said State Board of Health shall take charge of the case or cases, and County Board of Health of those counties which form the north border of the quarantine line, as established by the federal authorities, shall adopt and enforce such rules and regulations as said State Board of Health may prescribe, having for their object the prevention and restriction of splenetic or Texas fever, or any communicable disease among domestic animals which may be either threatened or developed in such localities. And all expenses incurred by the County Boards of Health in carrying out the provisions of this Act shall be a county charge, and shall be paid in like manner, as other expenses of the county now are.

**Misdemeanor
to bring dis-
cased cattle
into State.**

Sec. 4. *Be it further enacted,* That any person, firm or corporation who shall knowingly import or introduce any cattle into the State of Tennessee from any district south of the quarantine line as established, or as may be established by the Secretary of the United States Department of Agriculture or Congress, which is affected with splenetic or "Texas Fever," or which bears upon its or their body or bodies fever ticks (*boophilus bovis*) or other causes of said disease, except such cattle so introduced or imported are immediately slaughtered, or are brought into the State in conformity with such rules and regulations as may be prescribed by the State Board of Health, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in any amount not less than five hundred dollars, nor more than five thousand dollars, or confined in the county jail for not less than one nor more than three years, in the discretion of the court.

**Misdemeanor
to obstruct
examination.**

Sec. 5. *Be it further enacted,* That any person who owns or is in possession of live stock, which is reported or suspected to be affected with any communicable disease, or with insects which may produce such diseases, who shall refuse to allow said County Board of Health, or any one acting under its order, to examine such stock, or who shall hinder or obstruct the said board or its appointee in any examination of or in any attempt to examine such stock shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than fifty dollars, nor more than two hundred dollars.

**Affected ani-
mals not al-
lowed to run
at large.**

Sec. 6. *Be it further enacted,* That any person who shall have in his or her possession any domestic animal affected with any communicable disease or fever tick,

knowing such animal to be affected, who shall permit such animal or animals to run at large, or who shall keep other domestic animals not affected by or previously exposed to such communicable disease, may be exposed to its contagion or infection, or who shall ship, drive, sell, traffic or give away such animal or animals which have been exposed to such infection or contagion, or who shall move or drive any domestic animal in violation of any direction, rule, regulation or order of the said State Board of Health, establishing and regulating live stock quarantine, or the restriction or spread of communicable diseases among domestic animals, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any amount not less than fifty dollars, nor more than one hundred dollars for each of such exposed or diseased domestic animals which he or she shall permit to run at large, or sell, ship, drive, trade or give away in violation of the provisions of this Act; *Provided*, that any owner of domestic animals which have been affected with or exposed to any communicable disease, may dispose of the same after having obtained from said State Board of Health, or its authorized veterinarian, a certificate of health of such animal or animals.

Misdemeanor.

Proviso.

See. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 12, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 15, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 43.

[HOUSE BILL NO. 413.]

AN ACT to amend Chapter 20, Acts of Extra Session 1885, entitled "An act to divide the State of Tennessee into judicial circuits and chancery divisions, and provide for the administration of justice and equity in the circuit and chancery and other inferior courts of the State, and to fix the time for holding the terms of said chancery, circuit and other courts," so as to equalize the work of judges, chancellors and attorneys-general in the State, and change and fix the time of holding said courts, and facilitate the trial of causes in said courts.

Amendment.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 20 Acts of Extra Session of 1885 be amended so as to require the Chancellor of the 5th Chancery Division to hold the circuit court of Pickett County.

Sec. 2. *Be it further enacted,* That the circuit court of Pickett County be hereafter held on the second Monday in April and October.

Chancellor to hear cases in circuit courts.

Sec. 3. *Be it further enacted,* That it shall be the duty of the Chancellor of the Fifth Chancery Division, at his regular terms in Jackson, Putnam and White Counties, to hear and determine any civil cases in the circuit courts of said counties which stand for trial and have not been tried by the Circuit Judge at the first trial term thereof, and in which no juries have been demanded, or in which jury trial is waived, at the terms of said chancery courts.

Duties of circuit clerks.

Sec. 4. *Be it further enacted,* That it shall be the duty of the clerks of said circuit courts to carry their records before the Chancellor of said Divisions at each of his regular terms in said counties, and to make out for said Chancellor a docket of all cases required to be tried by him by the third Section of this Act as soon as practicable after the adjournment of said circuit courts, and to notify in person or by postal or letter, the attorneys on each side, or at least one attorney in each case, that the same has been placed on said docket.

Minutes of chancellor's action.

Sec. 5. *Be it further enacted,* That the action of said Chancellor in the cases aforesaid shall be entered upon the minute books of said circuit courts by the clerks thereof, and shall have the same force and effect as if done by the Circuit Judge, and any of the cases not disposed of by said Chancellor shall still remain in said

circuit courts and stand for trial at the subsequent terms thereof as other cases.

Sec. 6. *Be it further enacted*, That the circuit courts in the fifth judicial circuit be hereafter held at the following times, to-wit: In Putnam County, second Monday in January, May and September; White County, fourth Monday in January, May and September; Overton County, second Monday in February and June, and first Monday in October; Jackson County, second Monday in March, July and November; Smith County, fourth Monday in March, July and November; Trousdale County, third Monday in April, July and November; Cumberland County, first Monday in April and third Monday in October; Macon County, first Monday in March and September; Clay County, last Monday in February, June and October.

Times of holding circuit courts.

Sec. 7. *Be it further enacted*, That the chancery court in the fifth Chancery Division be hereafter held at the following times, to-wit: Macon County, first Monday in March and September; Smith County, second Monday in March and September; Jackson County, third Monday in March and September; Clay County, last Monday in April and October; Overton County, first Monday in April and October; Pickett County, second Monday in April and October; Fentress County, third Monday in April and October; White County, fourth Monday in April and October; Putnam County, first Monday after fourth Monday in April and October; DeKalb County, second Monday after fourth Monday in April and October; Cumberland County, second Monday after fourth Monday in April and September.

Chancery Courts in fifth division.

Sec. 8. *Be it further enacted*, That the Judge of the Fifth Judicial Circuit shall hereafter hold the chancery court in Cumberland County, and the Chancellor of the Fifth Chancery Division shall hold the circuit court in Macon County.

Cumberland and Macon Counties.

Sec. 9. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 2, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 2, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 44.

[SENATE BILL NO. 118]

AN ACT to prevent the killing or capturing English, Mongolian, Ring-necked, or other pheasant for five years.

*Unlawful to
kill pheas-
ants.*

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be unlawful for any person to kill or capture in any way whatever any English, Mongolian, Ring-necked or other pheasant in the State of Tennessee for five years from and after the passage of this Act.

Misdemeanor. Sec. 2. *Be it further enacted,* That any person violating the first Section of this Act shall be deemed guilty of a misdemeanor, and upon conviction before any court having jurisdiction shall be fined not less than five, nor more than twenty-five dollars for each bird so killed or captured, and one-half of the fine so collected shall go to the informer, and one-half to the common school fund of the State.

Sec. 3. *Be it further enacted,* That the possession of such English, Mongolian, Ring-necked or other pheasant shall be prima facie evidence of guilt.

Sec. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 8, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 13, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 45.

[SENATE BILL NO. 269.]

AN ACT to prevent the adulteration and misbranding of food and drink, and the deception in the sale of the same in Tennessee, and to fix the penalty for the violation of this Act.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the manufacture, importation or sale, or offering for sale of any article of food or drink, which is adulterated or misbranded, within the meaning of this Act, is hereby prohibited in Tennessee, and any company or individual who shall knowingly receive from without the State, or who, having so received, shall deliver for pay or otherwise, or offer to deliver or sell or trade any such article so adulterated or misbranded, within the meaning of this Act, shall be guilty of a misdemeanor, and for such offense shall be fined not less than twenty-five nor more than one hundred dollars for the first offense, and for each subsequent offense, not less than two hundred dollars, or be imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

Sale of adulterated or misbranded food prohibited.

Penalty.

Sec. 2. *Be it further enacted,* That the State Board of Health be and is hereby, authorized and directed to establish, under such rules and regulations as it may think best, a properly organized and fully equipped chemical and biological laboratory, in which, with such expert assistance as they may elect, shall be made such examinations of food and drink, offered for sale in Tennessee, as may be collected, from time to time, under such rules and regulations as said Board may prescribe, and the results of such analyses or examinations, they shall publish in bulletins for the information of the people. And it shall be the duty of the State Board of Health to see that the provisions of this Act are fully carried out without any additional appropriations, nor is this Act intended to create any office or allow compensation to any person or persons. But the names of the manufacturers or venders of such foods or drink analyzed, shall in no case be published, as hereinbefore indicated until after conviction in the courts of violation of this Act. If it shall appear from such examination that any of the provisions of this Act have been violated, the State Board of Health shall at once cause a report of

Duty of State Board of Health.

the fact to be made to the District Attorney for the district in which such violation occurred, with a copy of the results of the analysis, duly authenticated by the expert making the examination under oath.

District attorneys to prosecute.

Sec. 3. *Be it further enacted,* That it shall be the duty of every District Attorney, to whom said State Board of Health shall report any violation of this Act, to cause proceedings to be commenced and prosecuted without delay for the fines and penalties in such cases provided, unless upon enquiry and examination, said District Attorney shall decide that such proceedings cannot probably be sustained; in which case said attorney shall so report back to said State Board of Health.

Definition of terms.

Sec. 4. *Be it further enacted,* That the term "Food and Drink," as used herein, shall include all articles used for food or drink by man, whether simple, mixed or compound. The term "Misbranded," as used herein, shall include all articles of food or drink (or which enter into the composition of such articles of food or drink) the package or label of which shall bear any statement purporting to name any ingredient or substance as not being contained in such article, which statement shall be false in any particular, or any statement purporting to name the substance of which such article is made, which statement shall not fully give the names of all the substances contained in such article in any measurable quantities.

Adulterated articles, what are.

Sec. 5. *Be it further enacted,* That for the purposes of this Act an article shall be deemed adulterated, in case of food or drink:

1. If any substance or substances has or have been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength so that such product, when offered for sale, shall be calculated and shall tend to deceive the purchaser.

2. If any inferior substance or substances has or have been substituted, wholly or in part, for the article so that the product, when sold, shall tend to deceive the purchaser.

3. If any valuable constituent of the article has been wholly or in part abstracted so that the product, when sold, shall tend to deceive the purchaser.

4. If it be an imitation of and sold under the specific name of another article.

5. If it be mixed, colored, powdered or stained in a manner, whereby danger is concealed so that such product, when sold, shall tend to deceive the purchaser.

6. If it contain any added poisonous ingredient, or

any ingredient which may render such article injurious to the health of the person consuming it.

7. If it consist of the whole or any part of a diseased, filthy, decomposed or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or of an animal that has died otherwise than by slaughter; *Provided*, that an article of food or drink which does not contain any added poisonous ingredient, shall not be deemed to be adulterated in the following cases:

1. In the case of mixtures or compounds, which may be now, or from time to time hereafter known as articles of food or drink under their own distinctive names, and not included in definition fourth of this Section. Articles not deemed to be adulterated.

2. In the case of articles labeled, branded or tagged so as plainly to indicate that they are mixtures, compounds, combinations or blinds.

3. When any matter or ingredient has been added to the food or drink because the same is required for the production or preparation thereof, or an article of commerce in a state fit for carriage or consumption, and not fraudulently to increase the bulk, weight or measure of the food or drink, or conceal the inferior quality thereof; *Provided*, that the same shall be labeled, branded or tagged, as prescribed by the State Board of Health, so as to show them to be compounds and the exact character thereof.

4. Where the food or drink is unavoidably mixed with some extraneous matter in the process of collection and preparation.

Sec. 6. *Be it further enacted*, That every person who manufactures or offers for sale, or delivers to a purchaser, any article of food or drink, shall furnish upon demand a sample of such article of food or drink to any person duly authorized by the State Board of Health to receive the same, and who shall apply to such manufacturer, or vender, or person delivering to any purchaser such article of food or drink, for such sample, for such use, in sufficient quantity for the analysis of any such article or articles in his or her possession. And in the presence of such dealer and an authorized agent of the said State Board of Health, if so desired by either party, said sample shall be divided into three parts and each part shall be sealed by the seal of the State Board of Health. One part shall be left with the dealer, one delivered to the State Board of Health and one deposited with the District Attorney for the district in which

the sample is taken. Said manufacturer or dealer may have the sample left with him analyzed at his own expense, and if the results of said analysis differ from those of the State Board of Health, the sample in the hands of the District Attorney shall be analyzed by a third chemist or expert, who shall be chosen and agreed upon by the said dealer and the State Board of Health, and the whole evidence shall be laid before the court.

**Refusal to
comply with
the law a mis-
demeanor.**

**Fines and
costs.**

Sec. 7. *Be it further enacted*, That whosoever refuses to comply, upon demand, with the requirements of Section 6 of this Act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding one hundred dollars, nor less than ten dollars, or imprisonment not exceeding three months nor less than thirty days, or both. And any person found guilty of the manufacturing or knowingly offering for sale, or selling an adulterated, impure or misbranded article of food or drink in violation of the provisions of this Act, shall be adjudged to pay, in addition to the penalties heretofore provided for, all the necessary costs and expenses incurred in inspecting and analyzing such adulterated articles which said person may have been found guilty of manufacturing, selling or offering for sale.

Sec. 8. *Be it further enacted*, That all laws or parts of laws coming in conflict with this Act be, and the same are hereby repealed, and that this Act take effect thirty days after its passage, the public welfare requiring it.

Passed March 19, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 46.

[SENATE BILL NO. 400.]

AN ACT to re-organize the State Board of Health of the State of Tennessee.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the "State Board of Health of the State of Tennessee," shall be composed of three physicians of skill, and experience, one representative live stock breeder, actually engaged in the breeding of live stock, to be appointed as hereinafter set forth, the State Commissioner of Agriculture to become ex-officio member of said Board.

Sec. 2. *Be it further enacted,* That within five (5) days ^{Appointment.} after the passage of this Act, the Governor shall appoint three physicians of skill and experience, regular graduates of medicine, who have been engaged in practice not less than ten years, one at all times to be from each Grand Division of the State, and one representative live stock breeder.

Three members of this Board shall constitute a quo-^{Quorum and vacancies.} rum for the transaction of business at any regular, called or adjourned meeting. All vacancies occurring by expiration of term of office, resignation, death or otherwise of members of the Board shall be filled by an appointment of the Governor, such appointee to serve for the unexpired term.

Sec. 3. *Be it further enacted,* That immediately, or as soon as expedient, after the appointment of members as aforesaid, they shall meet at the office of the Secretary of State, and having taken the oath prescribed for State officers, the Secretary of State shall issue to each of said members of the aforesaid State Board of Health a certificate of appointment, upon receiving which they shall severally be and become members of the State Board of Health of the State of Tennessee, and shall possess the powers and perform all duties now or that hereafter may be imposed upon said Board, as defined by "An Act to create a State Board of Health, for the better protection of life and health, and the prevention of the spread of diseases in the State of Tennessee," passed March 26, 1877, and approved March 26, 1877. (See Chapter 98, page 120, Acts of 1877); and further defined by "An Act to amend An Act to create a State

^{Organization, duties and powers.}

Terms of
office.

Board of Health," passed March 24, 1879, and approved March 26, 1879 (See Chapter 11, page 16, Acts of 1879).

Sec. 4. *Be it further enacted*, That the three physicians thus commissioned, shall hold their respective offices for the terms following, namely: One for two (2) years; one for four (4) years; and one for six (6) years; or until their successors are appointed and qualified, as hereinbefore prescribed, they shall next proceed, under the directions of the Secretary of the State, to determine by lot or by their own choice which of them shall hold their offices for the respective terms of two, four and six years, which being determined, the Secretary of State shall enter upon their certificates of appointment the term of office thus fixed upon each member, the term of office of the medical members of the Board, after the expiration of the terms aforesaid shall be for six (6) years, the term of office of the representative of the live stock breeders of the State shall be for six (6) years from date of appointment.

Sec. 5. *Be it further enacted*, That all laws or parts of laws, coming in conflict with this Act, be and the same are hereby repealed.

Sec. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 26, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 47.

[SENATE BILL NO. 346.]

AN ACT to prescribe the form and substance of *scire facias*, and to change the law now in force on that subject.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all scire facias issued on conditional judgments and decrees rendered by any of the courts of this State on forfeiture bonds, recognizances, subpoenas, summons, and other like obligations may be substantially in the following form, to-wit:

State of Tennessee, County of
To the sheriff (or coroner as the case may be) of said county:

You are hereby commanded in the name of the State to notify and that a conditional judgment was rendered against him (or them) in the circuit court (or whatever court it may be) of county, for the sum of \$..... and costs on a forfeiture bond (or recognizance, or whatever obligation it is) and the same will be made final unless you appear at the next term of said court (or whatever the time may be under the order of the court), and show cause to the contrary.

Signed by the clerk, etc., with proper endorsement as to date of, etc.

If the conditional judgment be on a forfeiture, subpoena, or summons, to serve as jurors, or on any other obligation, the scire facias shall simply be so changed in form from the above as to give the parties notice of the nature of the obligation on which it is rendered, and it shall not be necessary to set out in full all the jurisdictional facts in any scire facias as heretofore required, and where any scire facias fails to contain the necessary allegations or facts as required under this Act, it may be amended in court according to the practice in reference to amendments of other writs and pleadings.

Sec. 2. *Be it further enacted,* That all laws and parts of laws in conflict with this Act, be and are hereby repealed.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 48.

[SENATE BILL NO. 217.]

AN ACT to amend Chapter 64 of the Acts of 1875, and to more fully protect persons having common inclosures from trespassing stock.

Preamble.

Whereas, A large amount of farming lands in this State is under common inclosures, many separate farms being embraced in one exterior fence, especially along the streams where fences are subject to frequent destruction by overflows, and in other sections where timber is scarce; and,

Whereas, There is a growing scarcity of timber suitable for fence purposes, and existing laws are inadequate to the proper protection of lands and crops embraced in such common inclosures; therefore,

Amends Chap. 64, Acts 1875. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the second Section of Chapter 64 of the Acts of 1875 be so amended as to read as follows: That it shall be lawful for two or more owners of adjoining farms to inclose the same under one common fence or inclosure, such common fence or inclosure

to be kept up to the standard of a lawful fence by each owner upon his own land, or in such manner and proportion as the owners of such common fence may agree in writing. In the absence of such agreement in writing, the owner of any of the land embraced in such common fence shall be liable to the owners of the other lands and their tenants for all damages to their lands, pastures, fruit trees, crops or vegetables, occasioned by the failure or neglect of such owner to keep and maintain the common fence on his land up to the standard of a lawful fence, or by his own stock or that of his tenants trespassing beyond his own land within the common inclosure.

Sec. 2. *Be it further enacted,* That any two or more owners of adjoining farms or lands may enter into a written agreement for the formation of a common inclosure of such lands or any part thereof; and it shall be lawful to prescribe, in such agreement, the means and method by which such common inclosure shall be constructed and maintained, regulations for the use and enjoyment by each of the lands embraced therein, the penalties to be imposed upon each for violations of the agreement and how the same shall be imposed, the mode of assessment of damages occasioned by trespassing stock of the parties to the agreement, and the length of time it shall continue in force; it may also provide for impounding, feeding and caring for trespassing stock of parties to the agreement found within the common inclosure, and for a lien upon such stock to secure the penalties and damages assessed against the owner on that account, and for the enforcement of same by sale; and all such provisions, not in violation of any law of this State, shall be binding upon all parties to such agreement.

Sec. 3. *Be it further enacted,* That any agreement, once entered into and signed, as provided in the preceding Section, shall continue in force and be binding upon all the parties thereto and their heirs and devisees, for the period therein prescribed, unless rescinded by mutual consent, or four months' notice by any party to the agreement or contract; but the same may be modified or amended in writing signed by all the parties, at any time; and after the expiration of the period prescribed, such agreement shall be deemed continued by unanimous consent, unless between the first day of November and the first day of January, some party thereto or his heir or devisee shall give notice in writing to all the other parties thereto, resident in the county,

Common inclosure of lands legalized.

Force and binding power of agreement.

of his intention to terminate the same, in which event such agreement shall terminate at the expiration of ninety days from the service of the last notice.

**Agreement to
be registered.**

Sec. 4. *Be it further enacted*, That the agreement provided for in the second Section of this Act may be acknowledged and registered in the county or counties wherein the lands and any part thereof are situated; and in cases of registration such agreement shall be binding upon any purchaser of any of the lands embraced in the common inclosure, his heirs and assigns, in the same manner and to the same extent as if he had been an original party to the same.

**Liability of
persons not
parties to
agreement.**

Sec. 5. *Be it further enacted*, That any person not a party to the agreement provided for in the second Section of this Act, whose stock shall trespass upon the common inclosure, shall be liable to the party or parties injured for all damages which he or they may thereby sustain, and such party or parties, so damaged, shall have all the rights, equities and liens now given by law to parties damaged by stock trespassing upon inclosures which are not common; *Provided*, the common inclosure be at the time a lawful inclosure or fence.

Sec. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 49.

[SENATE BILL NO. 75.]

AN ACT to repeal that portion of Section 2 of Chapter 7, of the Acts of the State of Tennessee, passed by the first Extraordinary Session of the Forty-second General Assembly of 1881 requiring a dividend to be declared whenever there is an amount sufficient in the hands of the treasurer of a corporation to pay four per cent. dividend on the capital stock, the same appearing as Section 1870 of Milliken & Vertrees' compilation.

Section 1. *Be it enacted by the General Assembly of Repeal.*
The State of Tennessee, That so much of Section 2, Chapter 7 of the Acts of the General Assembly of the First Extraordinary Session of the Forty-Second General Assembly, passed Dec. 21, 1881, and approved Dec. 24, 1881, as requires a dividend to be declared by a corporation whenever there is an amount sufficient in the hands of the Treasurer to pay 4 per cent. on the capital stock, and which makes the directors who fail to declare such dividend individually liable for the amount thereof, in favor of the innocent stockholders and creditors, be and the same is hereby repealed.

Sec. 2. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 15, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 50.

[SENATE BILL NO. 60.]

AN ACT to aid and encourage the holding of the Tennessee Centennial Exposition at Nashville, and to make an appropriation therefor.

Preamble.

Whereas, The patriotic people of Tennessee have determined that the Centennial Anniversary of the admission of the State into the Federal Union shall be celebrated in an appropriate manner, through an Exposition commemorative of her past and present greatness, and,

Whereas, Numerous individual citizens, corporations, the cities of Nashville and Chattanooga, and the county of Davidson, Shelby, Knox, Hamilton, Claiborne, Cocke, Roane, Scott, Sequatchie, Cumberland, Grundy, Montgomery, Pickett, Van Buren and Haywood have subscribed liberally to the enterprise the sum of about \$350,000 in cash having already been expended for this purpose, and,

Whereas, The Federal Government has within the last few weeks made an appropriation of one hundred and twenty thousand dollars for the purpose of erecting suitable buildings and making such an exhibition from the several departments of the government as may be deemed advisable, and,

Whereas, Several of our sister States have also made appropriations for the purpose of erecting buildings and being otherwise suitably represented at said Exposition, and,

Whereas, A large number of cities including Chicago, Cincinnati, St. Louis, and many others have taken appropriate steps to be represented upon a large scale at said Exposition, and,

Whereas, This Exposition has already assumed such proportions and so much money has already been expended as no longer to leave any room for doubt as to the ultimate success of the undertaking, and,

Whereas, The whole State is deeply interested in this enterprise, not only from a patriotic but also from an economic or business standpoint, and,

Whereas, Notwithstanding the fact that this Exposi-

tion is for the purpose of celebrating the Centennial Anniversary of the State's admission into the Federal Union as the sixteenth State, and the first created out of territory belonging to the U. S., and notwithstanding the fact that we have invited the nations of earth to join with us in this celebration, it is still painfully manifest that the State as such has done absolutely nothing either to provide for the entertainment of its guests or to make an exhibit either of its own wonderful record in the past or its present resources and possibilities, and,

Whereas, Such an Exposition without the active co-operation and support of the State, whose Centennial Anniversary it is held to celebrate, would be incomplete and humiliating to its citizens, now, therefore,

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That for the purpose of paying the expenses of erecting, or purchasing from the Centennial Exposition Company if already erected, a suitable building for the purpose of making a suitable or creditable exhibit of the past and present resources of our State, and for affording suitable accommodations for others deciding to make similar exhibits, and for the further purpose of paying the expenses of the selection, purchase, preparations, transportation, installation, care, and return if necessary of said exhibits, and all other contingent expenses incident to making said exhibit, including the purchase of medals with appropriate devices, emblems, inscriptions, and certificates commemorative of said Centennial Exposition, that the sum of fifty thousand dollars be, and the same is hereby appropriated out of the public treasury, out of any money not otherwise appropriated, to be paid upon the warrant of the Comptroller, upon the order of the Governor, Commissioner of Agriculture, Superintendent of Public Instruction, and State Geologist, which officials are hereby created a commission with full powers and authority to direct how said fund shall be utilized, and when the same shall be expended under the provisions of this Act; and they will report their action to the next General Assembly of this State, with appropriate and satisfactory vouchers for every expenditure authorized or approved by them. The members of said commission shall have no compensation in addition to their regular salaries and only their actual and necessary expenses, incurred in and about this business, shall be paid out of the sum herein-before appropriated.

Appropriation
of \$50,000.

Centennial
Commission.

Buildings or materials to be disposed of Said commissioners are hereby authorized and required to dispose of such building or buildings or the material composing the same as may belong to the State at the close of said Exposition, and may also make such disposition of the State's exhibits as to them may be deemed best, and whatever sum may be realized from the sale of said buildings or material or exhibits shall be carried into the treasury of the State; *Provided*, however, that said sum so appropriated shall be paid in four installments of \$12,500 dollars each, the first on April 15, 1897, the second on October 15, 1897, the third on March 15, 1898, and the last on October 15, 1898, all without interest, warrants to be issued for each of said installments as soon as this Act is passed and duly approved.

Payments, when to be made.

No liability to attach to the State. Sec. 2. *Be it further enacted*, That the State of Tennessee, shall in no manner, and under no circumstances be liable for any bond, contract or liability of any kind whatever of the Centennial Exposition Company of Tennessee, its officers, agents or directors, incident to or growing out of said Exposition, nor for any amount whatever in excess of said fifty thousand dollars herein expressly appropriated, and said commissioners are hereby expressly prohibited from expending or creating any liability for any sum in excess of the appropriation herein made.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 12, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 12, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 51.

[HOUSE BILL No. 106.]

AN ACT to amend an Act, passed May 13, 1895, Chapter 168 of the Acts of 1895, entitled "An act to prevent the spreading of contagious or infectious diseases among domestic animals.

Section 1. *Be it enacted by the General Assembly of Amendment. the State of Tennessee,* That an Act passed May 13, 1895, being Chapter 168 Acts of 1895, entitled, "An Act to prevent the spreading of contagious diseases among domestic animals," be and the same is hereby amended so as to insert after the words "inclosed lands of another" in Section 1 of said Act, the words, "or shall in anywise cause said diseased or infected animal or animals to be taken by any livery stable keeper, or other person, for board or feed, whether the same be taken for or without compensation, without first making known to such person, the condition of said animal or animals with respect to such disease or infection."

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 6, 1897.

JOSEPH W. BYRNS,
Speaker pro tem. of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 52.

[SENATE BILL NO. 368.]

AN ACT to prevent and punish the formation or continuance of conspiracies and combinations of persons for certain unlawful purposes, and to declare the punishment and the methods of inflicting it, and the disqualifications of persons who shall become or remain members of such conspiracies and combinations; and of persons who shall directly or indirectly encourage or procure others to become or remain members thereof; and of persons who shall directly or indirectly aid, abet or encourage any of the schemes or purposes of such unlawful conspiracies or combinations.

Conspiracy a felony.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be a felony punishable by from three to twenty-one years imprisonment in the penitentiary and by full judgment of infamy and disqualification, for two or more persons to enter into or form any conspiracy or combination, or to remain in any conspiracy or combination under any name, or upon any pretext whatsoever, to take human life, or to engage in any act reasonably calculating to cause the loss of life, whether generally or of a class or classes, or of any individual or individuals; or to inflict corporal punishment or injury, whether generally or upon a class or classes, or upon an individual or individuals; or to burn or otherwise destroy property or to feloniously take the same, whether generally or of a class or classes or of an individual or individuals.

Encouraging unlawful conspiracy a felony.

Sec. 2. *Be it further enacted,* That it shall be a felony, punished in like manner as the offense described in the first Section of this Act, for any person, either directly or indirectly to procure or encourage anyone to become or remain a member of any such unlawful conspiracy or combination as is described in the first Section of this Act; or for any person either directly or indirectly to aid, abet, or encourage any person to engage or remain in such conspiracies or combinations or to aid or abet in the accomplishment of any purpose or end of such conspiracies or combinations.

Sec. 3. *Be it further enacted*, That no person who has been guilty of any offense declared in the two preceding Sections of this Act shall be competent to sit or serve on any grand or traverse jury, and it shall be the duty of the court to carefully exclude all such persons from the juries, both grand and petit; and when he shall be informed or shall have reason to suspect any person presented as a juror guilty of any of said offenses, he shall call witnesses, if necessary, and examine fully into the truth of the charge; he shall dismiss from the grand jury any person who has been selected and afterwards shown to be implicated in any of said offenses.

Offenders incompetent to serve as jurors.

Sec. 4. *Be it further enacted*, That the judges of the criminal and circuit courts shall give this Act specially in charge to grand juries, and the grand juries shall have inquisitorial power of the offenses herein declared.

Inquisitorial powers.

Sec. 5. *Be it further enacted*, That indictments framed under this Act shall not be held insufficient by reason of the general nature of the charges preferred, or for embracing more than one of said offenses in the same indictment.

Sec. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 22, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 53.

[HOUSE BILL NO. 199.]

AN ACT to prevent the use of an open patrol wagon, or open vehicle of any kind, by any municipality or taxing district, or other form of municipal government, for the purpose of transporting persons under arrest from one point to another, and to provide closed vehicles in such cases, and to provide a penalty for the violation of this Act.

Open patrol wagons forbidden.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That no municipality, taxing district or other forms of municipality in this State shall use any open patrol wagon or any other open vehicle for the purpose of conveying or transporting persons under arrest, from one point to another, and all municipalities or taxing districts using a wagon or other vehicle of any kind for the purpose of conveying persons under arrest shall provide closed vehicle for said purpose with suitable air, so that any person when being conveyed from one point to another will be concealed from the view of persons on the streets or passersby.

Closed vehicle only to be used.

Sec. 2. *Be it further enacted,* That it shall be the duty of said municipalities or taxing districts to have constructed such a closed vehicle as mentioned in Section 1 of this Act, for the purpose of conveying persons under arrest, within thirty days after this Act becomes a law.

Mayor, etc., to enforce this Act.

Sec. 3. *Be it further enacted,* That it shall be the duty of the mayor, or other person or persons, whose duty it is now under the ordinances of the municipalities or taxing districts in this State to have said wagons or vehicles provided for the purpose of conveying persons under arrest, to see that the provisions of this Act are complied with, and for the failure thereof shall be guilty of a misdemeanor, and upon conviction thereof before a court of competent jurisdiction shall be fined in the sum of \$500.00.

Sec. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 15, 1897.

ROBT. L. TAYLOR,
Governor.
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CHAPTER 54.

[SENATE BILL NO. 116.]

AN ACT to repeal Section 282 of Milliken & Vertrees' compilation of the laws of Tennessee.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 282, Milliken & Vertrees' Compilation of the laws of Tennessee, creating the office of Superintendent of the capitol be, and the same is hereby repealed, and the powers and duties heretofore conferred upon the Superintendent of the capitol be, and are hereby conferred upon the landscape gardener, and it shall be his duty to look after the capitol building and grounds and keep them in proper condition.

Office of Superintendent of
Capitol abolished.

Sec. 2. *Be it further enacted,* That all laws and parts of laws coming in conflict with this Act be, and are hereby repealed, and that this Act take effect from and after its passage.

Passed February 12, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 15, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 55.

[SENATE BILL NO. 119.]

AN ACT to prevent the export of quail, dead or alive, out of the State of Tennessee.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be unlawful for any person to export quail, dead or alive, out of the State of Tennessee, for five years from and after the passage of this Act.

Unlawful to export quail.

Sec. 2. *Be it further enacted,* That any person violating the first Section of this Act shall be deemed guilty of a misdemeanor, and, upon conviction before any court

having jurisdiction, shall be fined not less than five nor more than ten dollars for each quail so exported.

Sec. 3. *Be it further enacted*, That this Act take effect 30 days after its passage, the public welfare requiring it.

Passed March 23, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 56.

[SENATE BILL NO. 72.]

AN ACT to amend an act entitled "An act to allow turnpike companies to remove their toll-gates, nearest county towns, two miles from the corporate limits thereof, and not to affect the location of other gates," the same being Chapter 78, Acts of 1881; and to repeal so much of Chapter 83, Acts of 1895, as is in conflict with this Act.

Company may remove gates. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That any turnpike company whose first toll gate nearest a town or city was located by its charter or amendment thereto, and has since been taken in the corporation limits by the extension of the corporation line, may move and locate said first toll gate out on said turnpike two miles from the corporation line.

Sec. 2. *Be it further enacted*, That such turnpike company, within one year after the removal of the first gate, shall abolish and discontinue the second toll gate on said road, and move and relocate the third gate not more than one mile nearer the first gate.

Sec. 3. *Be it further enacted*, That so much of Chapter 83, Acts 1895, as is in conflict with this Act be and is hereby repealed.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 4, 1897.

JOHN THOMPSON,
Speaker of the Senate.

JOSEPH W. BYRNS,
Speaker pro tem. of the House of Representatives.

Approved February 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 57.

[SENATE BILL NO. 121.]

AN ACT for the protection of fish, and to provide a penalty for violating the provisions of this Act.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be unlawful for any person or persons to use, procure, cause, or assist in using or procuring the explosion of any dynamite or any other explosive material whatever in any stream of water, lake or pond in the State of Tennessee, inhabited by fish, except as now authorized by law.

Unlawful to use dynamite to destroy fish.

Sec. 2. *Be it further enacted,* That any person or persons violating the provisions of Section 1 of this Act shall be deemed guilty of a felony, and on conviction shall be sentenced to the penitentiary for not less than one year, or more than three years, and that it shall be the duty of the circuit or criminal judges to specially charge this Act to the grand juries, and that the grand juries have inquisitional powers over same.

Made a felony.

Sec. 3. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

Passed February 5, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 58.

[SENATE BILL NO. 130.]

AN ACT to authorize and empower County Courts in the counties of Tennessee containing a population of more than eighty thousand under the census of 1890, or which may hereafter have a population of eighty thousand under any subsequent census, to appropriate additional compensation to District Attorneys of such counties, or of the circuits containing such counties.

County Courts Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county courts of the counties of Tennessee containing a population of more than eighty thousand under the Federal Census of 1890, or which may hereafter contain a population of eighty thousand, as shown by any subsequent census, are hereby authorized and empowered to appropriate such additional compensation as may be just and equitable, to District Attorneys of such counties or circuits containing such counties; *Provided*, that in no event shall the county courts of the counties affected by this Act appropriate, for the purpose of paying Attorneys General additional salaries, more than one thousand dollars for any one year.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 29, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 3, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 59.

[HOUSE BILL NO. 223.]

AN ACT to provide for making certified copies of registers in certain cases.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That when any deed, mortgage, deed of trust, decree or other instrument appears of record in the register's office of any county in this State, containing the description of more than one tract, lot or parcel of land, any person desiring a copy of any such deed, etc., may direct that only the description of such lots, tracts or parcels be included in said copy as he may desire; and the register in making the copy shall insert not less than one-half line of x marks before and after, or before or after as the case may be, indicating that descriptions have been omitted from said copy.

Partial copies from record evidence, when.

Sec. 2. *Be it further enacted,* That said copies so made shall have full force and effect as evidence.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 11, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 12, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 60.

[HOUSE BILL NO. 151.]

AN ACT to protect the telegraph, telephone and electric lines in this State.

Misdemeanor to cut electric wires. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be a misdemeanor punishable by a fine of not more than (\$20.00) twenty dollars for any one to cut the wires or break the insulators of the telegraph, telephone or electric lines of this State.

Justices to issue warrants. Sec. 2. *Be it further enacted,* That it shall be the duty of any justice of the peace who knows of any offenses under this law, to forthwith issue a warrant for the arrest of such person, and have such offender brought before him for trial.

Sec. 3. *Be it further enacted,* That the grand juries are hereby given inquisitorial powers to inquire into such offenses.

Sec. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 15, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 61.

[SENATE BILL NO. 268.]

AN ACT to amend Chapter 178 of the Acts of 1889, passed April 3, 1889, and approved April 4, 1889, entitled "An act to regulate the practice of medicine and surgery in the State of Tennessee, and to amend Chapter 109 of the Acts of 1891, amendatory of said Chapter and Acts of 1889."

Section 1. *Be it enacted*, That the first Section of Chapter 178 of the Acts of 1889, be so amended as to strike out all of said Section from the word "person" in the third line to the word "and" in the twelfth line and insert the words "obtain a certificate from the State Board of Medical Examiners, or shall obtain a temporary license, as provided in Section five."

Sec. 2. *Be it further enacted*, That the third Section same. of said Act of 1889, be so amended as to strike out all of said Section from the word "present" in the third line to the word "himself" in the fifth line, and the seventh line strike out the word "therapeutics" and insert the words "materia medica and practice;" and also that the words "if the diploma be found genuine or" be stricken out.

Sec. 3. *Be it further enacted*, That the fifth Section same. of said Act of 1889, be so amended as to insert after the word "applicant," in the third line of said Section the following words, to-wit: "Who is permanently located as a resident of some designated place in this State."

Sec. 4. *Be it further enacted*, That the tenth Section of said Act of 1889, be so amended as to insert after the word "conferred" in the fifth line of said Section the following words, to-wit: and that the clerk hereafter, beginning with the first Monday in July next, and at the end of every six months thereafter, report to the Secretary of the Board of Medical Examiners all such registrations in his office, together with a list of the deaths and removals from his county of those physicians who have registered, or may hereafter register in his office; for which service the clerk shall be paid by the Treasurer out of the funds of the Board of Medical Examiners ten cents for each name so registered.

Sec. 5. *Be it further enacted*, That the twelfth Section of said Act of 1889, be so amended as to strike out from the ninth and tenth lines of said Section the following

words and figures, to-wit: The board is empowered to demand a fee of one (\$1.00) dollar for the issuing of each certificate; and to insert in the place thereof the following words and figures, to-wit: The board is empowered to demand a fee of five (\$5.00) dollars for the issuance of each certificate, and also to strike out the word non-graduate in the ninth line.

**Chapter 109,
Acts of 1891,
amended.**

Sec. 6. *Be it further enacted*, That the thirteenth Section of Chapter 109 of the Acts of 1891, passed March 23, 1891, and being amendatory of Chapter 178 of the Acts of 1889, be so amended as to insert after the word "dollars" in the eleventh line of said thirteenth Section, the following words, to-wit: "and all such fines for offenses under this Act shall be paid over to the Treasurer of the Board of Medical Examiners to constitute a part of the fund of said board."

Sec. 7. *Be it further enacted*, That the provisions of this Act shall not apply to physicians or surgeons of other States who may be called by any reputable registered practitioner in this State into actual consultation in regard to some case under his supervision and care.

Sec. 8. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 62.

[HOUSE BILL NO. 93.]

AN ACT to appropriate one hundred and twenty-five thousand dollars to pay costs due from the State arising from criminal prosecutions prior to March 19, 1897.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the sum of one hundred and twenty-five thousand dollars, or so much thereof as is necessary, be and the same is hereby appropriated out of any moneys in the State Treasury, or to come thercin, not otherwise appropriated, for the purpose of paying costs adjudged against the State arising from criminal prosecutions and remaining unpaid prior to March 19, 1897.

Sec. 2. *Be it further enacted,* That as the public welfare requires it, this Act take effect from and after its passage.

Passed January 25, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved January 28, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 63.

[SENATE BILL NO. 254.]

AN ACT authorizing savings banks and banks of discount to reduce their capital stock, and to amend an act passed March 19, 1875, entitled "An act to provide for the organization of corporations."

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That any saving bank or banks of discount, incorporated under either a general or special law of this State be, and the same is hereby authorized to reduce the amount of its capital stock by

Banks may re-
duce capital
stock.

a vote of its stock holders owning a majority of the said stock, and when such reduction is so ordered by said stock holders, the board of directors shall accordingly apply for an amendment to the charter of the said bank in the manner provided by Section 19 of the Act of March 19, 1875; *Provided*, that no bank shall avail itself of the power herein conferred unless it shall have on hand net assets over and above the amount to which the capital stock shall be reduced sufficient to protect the rights of all existing creditors.

Sec. 2. *Be it enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 64.

[SENATE BILL NO. 544.]

AN ACT to authorize municipal corporations, created and organized under Chapter 114, Acts of 1883, passed March 21, 1883, and approved March 27, 1883, to issue bonds for the purpose of purchasing and improving a park or parks.

Incorporated
cities may
issue bonds.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the mayor and city council of any incorporated city or town in the State of Tennessee, created and organized under the Act of the General Assembly, being Chapter 114, of the Acts of 1883, passed March 21, 1883, and approved March 27, 1883, are hereby empowered, in their corporate capacity to issue the bonds of said city or town, signed by the mayor, and countersigned by the recorder, with interest coupons, which shall be signed by the Treasurer of

said city or town, to an amount not exceeding \$150,000.00; *Provided*, that cities of over 22,000 and under 60,000 according to the census of 1890, shall have the right to purchase grounds or lands for a park under this Act; *Provided*, that no bonds shall be issued for the purpose indicated by Section 3 of this Act, until the mayor and city council shall have submitted to the legal voters of said city at any regular election, the proposition to issue said bonds for the purpose of purchasing and improving such park, and three fourths of the votes cast at such election shall have been cast in favor of such proposition; *Provided*, further, said submission shall show the park proposed to be purchased, and the amount of bonds to be issued therefor.

Sec. 2. *Be it further enacted*, That the bonds herein provided for may be executed in denomination as shall be fixed and determined by the mayor and city council, and shall mature at such time, and bear such rate of interest, not to exceed $4\frac{1}{2}$ per cent., payable semi-annually, as the mayor and city council shall by ordinance determine; *Provided*, that none of said bonds shall be sold at less than par.

Denomination
of bonds.

Sec. 3. *Be it further enacted*, That said bonds shall be used for the purpose of purchasing and embellishing a park or parks for the use of the citizens of said city or town.

To be used for
parks.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the welfare of the State requiring it.

Passed April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 65.

[SENATE BILL No. 263.]

AN ACT to allow turnpike companies having only one toll-gate to maintain said gate as located, provided said gate is not nearer than one mile to the corporate limits of incorporated towns.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That turnpike companies having only one toll gate, may maintain said gate at the point where it is now located; *Provided*, said gate is not nearer than one mile to the corporate limits of incorporated towns.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 66.

[SENATE BILL NO. 508.]

AN ACT for the protection of prisoners when incarcerated in jails which are not fire-proof.

Jail keys to be kept outside premises. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it is hereby made the duty of the sheriff of every county in the State where the jail is not fire proof, and so long as any person is confined therein, to be constantly at the jail, or to have constantly at the jail some one having in his possession all keys necessary to liberate all of the prisoners in such jail in case of fire.

Sec. 2. *Be it further enacted*, That such sheriff or other person shall remain in said jail every night, from 8 p.m. to 6 a.m.

Sec. 3. *Be it further enacted*, That any violation of this Act, whether by the sheriff or by any person selected as jailer or guard by him, shall be deemed a misdemeanor, and be punished by a fine of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00) or imprisonment in the county jail for not less than one month, or more than eleven months, or both. Grade of offense, and penalty.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 9, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 67.

[SENATE BILL NO. 352.]

AN ACT to prevent any person from unlawfully using or wearing the button, badge, or pin, or other emblem, of the Free and Accepted Masons, Independent Order of Odd Fellows, Knights of Pythias, United Confederate Veterans, Grand Army of the Republic, or any other secret society working under a charter recognized by a grand or supreme lodge.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That any person who shall wilfully wear the button, badge, pin or other emblem of the Free and Accepted Masons, Independent Order of Odd Fellows, Knights of Pythias, United Confederate Veterans, Grand Army of the Republic, or any other secret society working under a charter recognized by a grand or supreme lodge, or shall wear or use the same Misdemeanor to wear society emblems, when.

to obtain aid or assistance thereby within the State of Tennessee, unless he shall be entitled to use or wear the same under the by-laws, rules or regulations of the society whose button, badge, pin or emblem he wears, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding twenty-five (\$25.00) dollars, or imprisoned for a term not exceeding thirty (30) days, or both, at the discretion of the court.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 68.

[HOUSE BILL NO. 23]

AN ACT to authorize towns of less than 20,000 inhabitants to levy a tax and make appropriations for the establishment and maintenance of public libraries.

Public libra-
ries, how es-
tablished.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That any incorporated town of less than 20,000 inhabitants, having a mayor and aldermen, or other town government, elected by the people on the petition of twenty or more tax payers of that town 30 days previous to any general or special election, may submit to the vote of said town, the matter of the establishment of a public library therefor.

May levy tax. Sec. 2. *Be it further enacted*, That after its ratification by a majority of said voters, said authority in office may levy and collect and disburse through the usual

budget of said town taxes in amount not exceeding five hundred dollars (\$500.00) for the maintenance and support of said public library.

Sec. 3. *Be it further enacted,* That the management of said town library shall be under the direction of said town authority by committee or otherwise, as they may deem best for the public interest.

Sec. 4. *Be it further enacted,* That every library established or maintained under this Act shall be forever free to the use of the inhabitants of said town where located, always subject to such reasonable rules and regulations as the board or commission having the library in charge may adopt, in order to render the use of said library of the greatest benefit to the greatest number; and said board or commission may exclude from the use of said library any and all persons who shall wilfully violate such rules, and said board or commission may extend the privileges and use of such library to persons residing outside of such towns, upon such terms and conditions as said board or commission may from time to time by its regulations prescribe.

Sec. 5. *Be it further enacted,* That said board or commission shall make, on or before the 31st day of July in each year, a report to the councils of such towns, stating the conditions of their library, the various sums of money received from the library fund and from other sources, and how much moneys have been expended and for what purposes, the number of books and periodicals on hand, the number added by purchase, gift or otherwise during the year, the number lost or missing, the number of books loaned out and the general character and kind of such books, with such other information as they may deem of general interest.

Board to re-
port to coun-
cil.

Sec. 6. *Be it further enacted,* That the councils of said towns shall have power to pass ordinances imposing suitable penalties for the punishment of persons committing injury upon such libraries or other property thereof, or for injury to or failure to return at the time and in the manner specified in the rules of said library any books belonging to the same.

Sec. 7. *Be it further enacted,* That any person desiring to make donations of books, money, personal property or real estate for the benefit of such library, shall have the right to vest the title to such books, money or real estate so donated, in the board or commission duly constituted for the management of such library, to be held and controlled by such board or commission when accepted according to the terms of the deed, gift, devise or bequest of such property, and as to such property the

said board or commissioners shall be held and considered to be special trustees.

Sec. 8. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 69.

[SENATE BILL NO. 353.]

AN ACT to amend Chapter 216 of the Acts of the General Assembly, passed and approved March 29, 1883, authorizing the organization of companies to furnish abstracts of real estate titles.

Right to construct vault.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the said corporation shall have the right to construct upon its own real estate, and operate, or lease and operate a vault for the safe keeping of valuables, such as money, coin, notes, bonds, jewelry, deeds, contracts, books, records, etc., and shall have the right to sub-let same, or rent out compartments, boxes, etc., in said vault for the safe keeping of valuables, as provided and authorized by Chapter 168 of the Acts of the General Assembly of the State of Tennessee, passed March 23, 1883, and approved March 28, 1883, and subject to the same limitations and restrictions contained therein.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

JOHN THOMPSON,
Speaker of the Senate.
MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 70.

[SENATE BILL No. 314.]

AN ACT to amend an act entitled "An Act for the benefit of persons who have lost their grants or deeds of conveyance to their lands in the Ocoee District," passed January 14, 1871, and approved January 21, 1871, and published as Chapter 45 of the public Acts of the third session of the Thirty-sixth General Assembly, and to amend all Acts and parts of Acts heretofore passed, providing for the survey, making of entries, and issuance of grants in the Ocoee District, in the State of Tennessee.

Section 1. *Be it enacted by the General Assembly,* That Section No. 1, of Chapter No. 45, of the Public Acts of 1870-1, passed by the Third Session of the Thirty-Sixth General Assembly, January 14, 1871, and approved January 21, 1871, entitled, "An Act for the benefit of persons who have lost their grants or deeds of conveyance to their lands in the Ocoee District," be amended so as to read as follows:

Sec. 2. *Be it enacted by the General Assembly of the State of Tennessee,* That all further making of entries or issuance of grants in the Ocoee District be prohibited, except under the following circumstances, *to-wit:* where the books of the entry taker and register of said district do not show that a grant has heretofore been issued for any section, quarter section, or fractional quarter section, or part of, or interest in any section, quarter section, or fractional quarter section, in said Ocoee District, but an original entry can be found in the office of said entry taker and register, for any such section, quarter section, fractional quarter section, or part, or interest in the same, or the name or names of the original enterer or re-enterer appears to have been marked upon the official map of said Ocoee District now on file in the office of said register and entry taker of said district, upon any such section, quarter section or fractional quarter, showing thereby that an entry had been made to an original enterer, or re-enterer; provided said re-entry does not appear to have been made since January 1, 1867; upon application of any person or persons, and the payment of the legal fees therefor, a grant may issue herefor, based upon the said original entry, so found in said office, or upon the evidence appearing upon said map, and shall be issued in the name of the said original

Amendment to
Chapter 45 of
Acts 1870-'71.

enterer; or where the said map shows a re-entry, then in the name of said re-enterer for the respective section, quarter section, fractional section, as shown in said original entry, or upon said map, except where the same shows that said entry, or re-entry was in the name of two or more persons, then to the person or persons whose names appear to have been the original enterer, or re-enterer, and when issued said grant or grants shall become muniments of title inuring to the benefit of all persons claiming under, by or through the said original enterer, or re-enterer, of, in, or to the said respective section, quarter section, or fractional quarter section, in said district.

Entry taker to copy entries.

Sec. 3. *Be it further enacted,* By the authority aforesaid, that the entry taker and register of said Ocoee District shall be authorized and required to have accurately copied in a well bound book, or books to be provided by the State for that purpose, all original entries now to be found in his office, and have the same thoroughly and accurately indexed, in a well bound book, or books, by name of the enterer or re-enterer, as well as by range, township, section, quarter section and fractional quarter section. In making said index the entries and re-entries now appearing marked on the said official map of said district, now on file in the said office, shall be treated and regarded as entries.

To index grants.

Sec. 4. *Be it further enacted,* By the authority aforesaid, that said entry taker and register shall be authorized and required, in like manner, to make or cause to be made, a full, complete and accurate index by the name of the grantee, also by range, township, section, quarter section, or fractional quarter section, of all the grants, copies of which have been preserved in his office.

To make new map.

Sec. 5. *Be it further enacted,* By the authority aforesaid, that said register and entry taker of said Ocoee District is authorized and required to have the said original map of said Ocoee District now on file in his said office copied on a scale large enough to read easily all that is now written on the same, and if he thinks best may have the same sub-divided into sheets convenient for binding and have the same bound for the use of those desiring to examine said map, and to be kept in his said office.

Entries and maps to be safely kept.

Sec. 6. *Be it further enacted,* By the authority aforesaid, that the said register and entry taker, after the copies of said original entries and maps may have been made, said copies shall be retained in said office and said original map and entries shall be deposited in some place, in the city of Cleveland, Tennessee, in a fire proof

room or safe, free from dampness, to protect the same against loss by fire or spoliation, and shall not allow said originals to be examined except in his presence, or the presence of some reliable person sent by him for that purpose.

Sec. 7. *Be it further enacted*, By the authority aforesaid, that the Governor be, and he is hereby authorized and required to appoint some suitable person to inspect said copies and indexes when made, and upon his report that the same have been accurately copied and indexed shall issue his warrant upon the State Treasury, in favor of said entry taker and register for the sum, not exceeding five hundred (\$500.00) dollars, to pay for the same, which appropriation shall be paid out of the contingent fund.

Sec. 8. *Be it further enacted*, By the authority aforesaid, that all laws and parts of laws in conflict with this Act be, and the same is hereby repealed, and that the same shall take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 71.

[HOUSE BILL NO. 182.]

AN ACT to amend Sections 1 and 2 of an act entitled "An Act to amend an Act to provide for the organization of corporations, approved March 23, 1875, and grant charter to water companies, approved March 27, 1877," the same being Chapter 104 of the Acts of 1877.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1 of the Acts approved March 27, 1877, being Chapter 104 of the Acts of 1877 be, and the same is hereby amended by insert-

Work to be in-
spected and
paid for.

ing next after the words, "Provided they shall repair the same with the least possible delay" the following, to-wit: The said corporation is hereby empowered and authorized to condemn and take and occupy such land as may be necessary for the location of a reservoir or reservoirs and the right of way through any and all lands which may be deemed necessary in laying its pipes or pipe, aqueducts or conductors, through which the water is to flow or be transmitted from its reservoir or reservoirs, the same to be laid or placed in such manner as to do as little injury as possible to private property. If the corporation cannot agree on the amount of compensation to be paid for said land and rights of way with the owners thereof, the same shall be assessed and all proceedings had that is and are provided by Sections 1,325 to 1,348, inclusive, of the Code of Tennessee.

Same.

Sec. 2. *Be it further enacted*, That Section 2 of the Act approved March 27, 1877, said Act being Chapter 104 of the Acts of 1877, be, and the same is hereby amended by or adding to said Section, the following, to-wit: *Provided*, however, charters may be granted when the application therefor shows the fact is, that water is to be furnished to the inhabitants of an incorporated town or village and those adjacent, without such leave and certificate aforesaid.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 72.

[HOUSE BILL NO. 322.]

AN ACT to amend Chapter 161, Acts of 1887, entitled "An Act for the benefit of turnpike companies between towns and railroad depots, that are not as much as five miles in length."

Section 1. *Be it enacted by the General Assembly of Amendment. the State of Tennessee,* That the caption of Chapter 161, Acts of 1887, be amended by inserting after the word "depots" the words "or the termini of turnpikes."

Sec. 2. *Be it further enacted,* That Section 1 of Chapter 161, Acts of 1887, be amended by inserting after the words "railroad stations" in line four these words, "or between such and the termini of turnpikes."

Sec. 3. That all laws or parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 73.

[HOUSE BILL NO. 417.]

AN ACT to authorize and empower County Courts to take certain book or books of record, which may need to be rebound, from the office of County Court Clerk, Clerk and Master, Circuit Court Clerk, and Register of any county in this State and have the same properly rebound, and releasing said County Court Clerks, Clerks and Masters, Circuit Court Clerks and Registers from liability on their official bonds for the safe keeping of such book or books, in their respective offices, while they are out of said offices for the purpose of being rebound.

Section 1. *Be it enacted by the General Assembly of Authority to rebind records. the State of Tennessee,* That whenever any county court of this State on due examination as now required by law, shall ascertain that any of the books of record in the

office of the register, county court clerk, clerk and master or circuit court clerk need to be rebound in order to preserve and keep in proper condition for use such books, then the county court of such a county may order and empower the chairman of said court to take charge of such books of record, and execute a receipt for the same to the proper officer having custody of said books, and at once forward them to some good, competent and reliable book-binding firm or company in this State, and take a receipt from said firm or company for such books received by them, and require them to rebind said books and return them to him at as early a date as possible.

*Liability of
clerks sus-
pended.*

Sec. 2. *Be it further enacted,* That during the time said record book or books are kept out of the office and custody of said county court clerk, clerk and master, circuit court clerk or register for the purpose stated in Section 1 of this Act, he shall be released and held harmless and free from all liability on his official bond or otherwise for the proper and safe keeping of such books in his office.

Sec. 3. *Be it further enacted,* That all laws and parts of laws in conflict with this Act shall be and they are hereby repealed.

Sec. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 4, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 74.

[SENATE BILL NO. 371.]

AN ACT to require that all orders issued by Commissioners of Public Roads, District 1, upon judges or chairmen of County Courts for warrants upon County Trustees for compensation for services or labor, for tools and material furnished public road districts, and all other orders required or allowed by law to be issued by commissioners of public road districts upon judges or chairmen of county courts for warrants on or to any County Trustee to pay out public road funds, shall be written wholly with pen and ink, or printed and written with pen and ink; to provide that all such orders not written wholly with pen and ink, or printed and written with pen and ink, shall be illegal and void, and to provide a penalty for the violation of this Act.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all orders issued by commissioners of public road districts upon judges, or chairmen of county courts to, or on, county trustees for the disbursement of public road funds in payment for services rendered, or labor performed, or tools or materials furnished public road districts, and all other orders required or allowed by law, to be issued by commissioners of public road districts upon judges, or chairmen of county courts for warrants to, or on, county trustees for the disbursement of public road funds, shall be written wholly with pen and ink, or printed and written with pen and ink; and provided that all such orders issued and not written wholly with pen and ink, or printed and written with pen and ink, shall be illegal and void.

Road orders to
be written
with pen
and ink.

Sec. 2. That any commissioner of any public road district, who shall issue such an order, not written wholly with pen and ink, or printed and written with pen and ink, shall be guilty, and upon conviction shall be fined not less than ten, and not more than fifty dollars, and further shall be liable in damages to any person or persons aggrieved.

Sec. 3. *Be it further enacted,* That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed.

Passed April 6, 1897.

JOHN THOMPSON,

Speaker of the Senate.

MORGAN C. FITZPATRICK,

Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,

Governor.

CHAPTER 75.

[HOUSE BILL No. 710.]

AN ACT to authorize and empower the Governor of the State of Tennessee to exchange the mineral rights in certain lands of the State for certain other lands, upon condition the title is good to said other lands, and provided the Governor approves the exchange.

Preamble.

Whereas, Three of the cottages built by the State at Brushy Mountain for use of its employees in working the State mines at said place, have been located by mistake, just beyond and off of the State's land at said place and upon the land now owned by W. A. Gray and Ellen W. Scott, a femme sole; and,

Whereas, The said W. A. Gray and Ellen W. Scott now propose to exchange the land upon which said buildings are situated, consisting of 18 4-10 acres for the mineral interests and rights of the State in 29 acres of land situated on top of Brushy Mountain.

Whereas, The said 18 4-10 acres of land is also very convenient to the State's property and would also afford another convenient route to the coal land and to a good and suitable place to open another mine, and is also convenient for railroad switching purposes in the present operation of the mines.

Whereas, There are only 29 acres of the mineral land which is too small to justify the building of improvements for the operation of the same.

Whereas, It is to the interest of the State to make the exchange; therefore,

Governor to convey mineral interests. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Governor of this State be and he is hereby authorized and empowered to convey the mineral interests owned by the State in said 29 acres of land described as follows:

Boundaries of tract. Beginning at a mountain oak on a branch; thence running east from said oak to a stake in the northeast line of a tract conveyed by Sampson Williams to George F. Gerding, by a deed dated October 8, 1851; thence with said line northwest to a chestnut, the north corner of the last named tract, thence with a line of the same south 2 degrees west 45 96-100 poles to a chestnut; thence with said line south 20 degrees and 56 minutes west to the aforesaid branch; then with said branch to

the beginning; and exchange same for said 18 4-10 acres of land which is also described as follows: Beginning at a stone corner, the northeast corner of a tract of land deeded by Scott and Gray to the East Tennessee Land Co.; thence south 84 degrees and 40 minutes east 513 $\frac{1}{4}$ feet to a stake on top of a hill; thence south 23 degrees west 453 feet to a stake; thence south 29 degrees west 983 feet to a stake; thence south 12 degrees and 5 minutes east 88 $\frac{1}{2}$ feet; thence south 7 degrees and 25 minutes east 102 feet; thence south 4 degrees and 30 minutes east 81 feet; thence south 1 degree and 30 minutes east 337 feet; thence north 43 degrees west 760 $\frac{1}{2}$ feet to a stake, the intersection of said line, with line bearing north 24 $\frac{1}{4}$ degrees east; thence along said line 1505 $\frac{1}{2}$ feet to a stone corner, the initial point of survey; *Provided*, the Governor of the State shall consider the exchange for the best interest of the State, and, *Provided also*, that an abstract of title shall first be furnished of said 18 4-10 acres of land and no purchase or exchange shall be made or become effective until it unquestionably appears that the title to same is good and the said title and muniments thereof shall be examined and approved by the Governor and Attorney General of the State.

Sec. 2. *Be it further enacted*, That the title to said ^{Title.} 18 4-10 acres of land shall be made in fee simple to the Governor and his successors in office for and as the property of the State, and such title shall be passed by deed with full covenants of warranty, seizure and against encumbrance.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 76.

[SENATE BILL NO. 428.]

AN ACT to authorize municipal corporations adjoining, or situated near to one another, to contract between themselves for the use by the one of the sewer pipes and system of the other.

May contract
for joint use.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That municipalities to which this Act by subsequent provisions hereof may apply, be and they are hereby authorized to contract with each other for the use by the one of the sewer pipes, and system belonging to the other.

Adjoining
municipalities,

Sec. 2. *Be it further enacted,* That this Act shall apply to municipalities that adjoin one another, or that are in such proximity to one another as to make it to the interest of both that the sewer system of each be in substance consolidated and unified—the question of the mutual advantages to accrue to such municipalities respectively to be determined by them, and their determination thereof by entering into such contract or contracts as is here authorized to be conclusive.

Same.

Sec. 3. *Be it further enacted,* That when such municipalities do not adjoin, but lie in such proximity to one another as to make such contract to their mutual advantage, then either of said municipalities may, from the public funds thereof, build such lines of main sewer pipes over the intermediate territory, using any streets, roads or public ways therefor that may be necessary, so as to enable the pipes and sewer system of said two or more municipalities to be joined together and consolidated into one.

Contracts
jointly bind-
ing.

Sec. 4. *Be it further enacted,* That any contract or contracts made by said municipalities under the authority here conferred shall be binding and obligatory upon them respectively, and may be enforced against them, or either of them, as any other contract obligation might be enforced.

Sec. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 7, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 77.

[HOUSE BILL NO. 506.]

AN ACT making it a felony to take or receive a note or other security in the sale of a patent right, or any interest therein, unless it shall clearly appear upon the face of the note or other security that it is given in the purchase of a patent right, or an interest therein, and prescribing punishment for such felony.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter it shall be unlawful for any person, either in his own behalf or in a representative capacity to take or receive for the sale of a patent right or any interest therein, a note or other written security given for such right or any interest therein unless it shall clearly appear upon the face of the note or other security that the same is given in the purchase of a patent right or an interest therein.

Notes given
for patents
must so state.
Sec. 2. *Be it further enacted,* That every person violating the first Section of this Act shall be deemed guilty of a felony and, upon conviction thereof, shall be punished for each offense by imprisonment in the penitentiary not less than one year nor more than five years.

Offense and
penalty.

Sec. 3. *Be it further enacted,* That this Act take effect on the first day of July, 1897.

Passed March 25, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 26, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 78.

[HOUSE BILL NO. 8.]

AN ACT to amend Chapter 18 of the Acts of 1883, entitled "An Act to protect employees and day laborers of corporations and partnership firms against the insolvency of such corporations and firms, and to give laborers and employees of corporations and firms a first lien upon corporate and partnership property for services.

Employees' lien for labor. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 18 of the Acts of 1883, be so amended as to read as follows: That hereafter all employees and laborers of any corporation or partnership firm doing or carrying on any corporate or partnership business within the State of Tennessee, shall have a lien upon the corporate or firm property of every character and description, for any sums due them for their labor and service performed for such corporation or partnership, and that such lien shall prevail over all other liens, except the vendor's lien or the lien of a mortgage, or deed of trust to secure purchase money, and other liens created before the passage of this Act.

Force and extent of lien. Sec. 2. *Be it further enacted,* That no corporation or partnership doing business in this State, shall have the power to execute a mortgage or deed of trust or other instrument creating a prior lien upon the property of such corporation to that hereby created in favor of the employees and laborers, except to secure purchase money. The lien herein created however shall only extend to and protect such claims as may have accrued within three months of the bringing of any suit for the enforcement thereof, and shall continue during the pendency of any suit brought for its enforcement, and the same may be enforced by attachment as mechanic's liens are enforced.

Sec. 3. *Be it further enacted,* That this Act take effect at and from its passage, the public welfare requiring it.

Passed February 9, 1897.

JOSEPH W. BYRNS,
Speaker pro tem. of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 10, 1897.

ROBT. L. TAYLOR,
Governor.
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CHAPTER 79.

[HOUSE BILL NO. 3.]

AN ACT to require contestants for Governor to give bond and security for costs.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter in all cases of contest of the office of Governor, the contestant, before making objection as required by Section 4, Chapter 9, Acts of 1895, shall be required to enter into bond and good security to be approved by the Speakers of the Senate and House of Representatives in the sum of twenty-five thousand (\$25,000.00) dollars, payable to the State of Tennessee, conditioned upon the faithful, bona fide and successful prosecution of such contest; provided, however, the penalty of said bond shall not be enforced against said contestant and his securities unless the joint assembly should be of opinion that the contest was not in good faith, or was malicious or unwarranted, or made for political effect, or without reasonable cause; in which case the joint assembly shall so declare and order the enforcement of the penalty of the bond; *Provided*, further, said bond shall be filed for approval with the Speaker of the Senate, not less than five days before the day fixed for the opening and publishing of the returns for Governor, as provided by Section 1, Chapter 9, Acts of 1895.

Contestant to give bond for costs.

Conditions.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 15, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved January 15, 1897.

P. TURNER,
Governor.

CHAPTER 80.

[SENATE BILL NO. 234.]

AN ACT to regulate the practice of pharmacy, the sale of poisons, and to prohibit the adulteration of drugs, and to amend Chapter 39 of the Acts of 1893, entitled "An Act to establish a State Board of Pharmacy, and to regulate the practice of pharmacy, the sale of poisons, and to prohibit the adulteration of drugs in the State of Tennessee," as amended by Chapter 145 of the Acts of 1895.

Amends Chapter 39, Acts of 1893. Be it enacted by the General Assembly of the State of Tennessee, That Chapter 39 of the Acts of 1893, as amended by Chapter 145 of the Acts of 1895, be and the same is hereby amended as follows:

Amendment. Section 1. Strike out all of Sections 9, 10, 11, 12 and 13 of said Act, and insert the following: Section 9. No person shall add to or remove from, or cause to be added to or removed from, any drug, chemical or medical preparations, any ingredient or material for the purpose of adulteration or substitution, or which shall deteriorate the quality, commercial value, or medicinal effect, or alter the nature or composition of such article, and no person shall knowingly or wilfully sell or offer for sale, any such adulterated, altered or substituted drug, chemical or medicinal preparation. A drug, chemical or medicinal preparation shall be deemed to be adulterated within the meaning of this Act:

1. If, when sold under, or by, a name recognized in the United States Pharmacopoeia, or subsequent editions thereof; it differs from the standard of strength, quality or purity laid down therein.

2. If, when sold under, or by, a name not recognized by the United States Pharmacopoeia, or other standard work on *materia medica*, it differs materially from the standard of strength, quality or purity laid down in such work.

3. If its strength, quality or purity falls below the professed standard under which it is sold. Any person violating the provisions of this Section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty, nor more than one hundred dollars for each offense.

It shall be the duty of the Tennessee Board of Pharmacy to enforce the provisions of this Section.

Sec. 10. It shall not be lawful for any person to retail any poisons enumerated in Schedules "A" and "B" appended to this Act, unless on enquiry it is found that the purchaser is aware of its poisonous character, and that it is to be used for a legitimate purpose; nor to sell such poisons to any person under the age of sixteen years, except upon the written order of some responsible adult person.

Nor shall it be lawful for any person to sell or deliver any of the poisons enumerated in said Schedules "A" and "B," without first labeling the box, bottle, vessel or package containing such article with the common name of said poison with the word "poison" and the name and place of business of the seller. Nor shall it be lawful for any person to sell any poison mentioned in said Schedule "A," without, before delivering the same to the purchaser, causing an entry to be made in a book kept for the purpose, which book shall be kept open to the inspection of the proper authorities, stating date of sale, name and address of purchaser, name and quantity of poison sold and the name of the dispenser. But they are hereby exempted from the registration of the sale, of such articles when sold at wholesale, or to a registered pharmacist or registered assistant pharmacist. But the provisions of this Section shall not apply to the dispensing of poisons on prescriptions of physicians or veterinary surgeons, put up by registered pharmacists or registered assistant pharmacists, or dispensed by a physician or veterinary surgeon in his regular practice.

Any person violating the provisions of this Section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty nor more than one hundred dollars, and in the discretion of the court, may be imprisoned not less than one month and not more than six months in addition to said fine.

Schedule "A." Arsenic, aconite, belladonna, corrosive sublimate, hydrocyanic acid, cyanide potassium, strychnia and its salts, cocaine and its salts, phosphorous, oil bitter almond, cotton root and its preparations, ergot and its preparations, oil tansey, oil savin, cantharides, and its tincture.

Schedule "B." Carbolic acid, tincture iodine, oxalic acid, the mineral acids, digitalis and its preparations, colchicum, conium, nux vomica, morphine and its preparations, tully powder, chloral, croton oil, opium and its liquid preparations (except those containing less than two (2) grains to the fluid ounce), and all other deadly poisons.

Board of Pharmacy may grant permits.

Sec. 11. That the Tennessee Board of Pharmacy may, in their discretion, issue a permit to persons, firms or corporations engaged in the business of retailing drugs, chemicals, or medicinal preparations upon the prescription of physicians in small towns or rural districts in this State having a population of five (500) hundred inhabitants or under, computed by the last Federal Census, in which the conditions, in the judgment of said board do not justify the employment of a registered pharmacist, which said permit shall authorize the person named therein to carry on such business in said small town or rural district named in said permit, but not elsewhere, under such regulations and restrictions as said board may adopt. Any person applying for said permit shall pay a fee of one dollar to said board and a renewal fee of one dollar each year he shall continue to carry on such business under said permit, said renewal fee to be paid on such date as said board may fix.

Sec. 12. This Act shall not apply to physicians putting up their own prescriptions.

Sec. 13. That all Acts and parts of Acts in conflict with this Act are hereby repealed.

Sec. 14. That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 81.

[SENATE BILL NO. 91.]

AN ACT to amend Section 1950 of the Code of Tennessee, it being Section 2707 of Milliken & Vertrees' compilation, providing that a defendant sued for money may avoid the excess over legal interest by a plea setting forth the amount of the usury.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1950 of the Code of Tennessee, the same being Section 2707 of Milliken & Vertrees' Compilation, be, and the same is hereby so amended that a defendant sued for money may in all cases avoid the excess over legal interest by a plea setting forth the amount of the usury, and this shall be the rule whether the usury appear on the face of the note or other contract sued on, or be shown by testimony aliunde, that is to say, none of the courts of this State shall dismiss any suit on a note or other contract for money because it shows on its face that the parties have contracted for an unlawful rate of interest, but all such contracts are hereby declared to be valid and enforceable to the extent of the amount actually loaned with interest thereon at the rate of six per cent. per annum, and in all cases where usury is the only defense pleaded, judgment shall be rendered by the courts of this State for said principal amount with legal interest, whether usury appear on the face of the contract sued on or no.

Sec. 2. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 9, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 13, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 82.

[SENATE BILL NO. 288.]

AN ACT to be entitled "An act to define the liability of married women upon their contracts when engaged in the mercantile or manufacturing business.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That when married women are engaged in the mercantile or manufacturing business, in their own names, or by an agent, or as partner, they shall be liable for the debts incurred in the conduct of such business, as if they were *femme sole*, and no plea of coverture shall avail in such cases.

SEC. 2. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed April 30, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 83.

[HOUSE BILL NO. 57.]

AN ACT to amend an act, approved March 25, 1891, entitled "An act authorizing County Courts of this State to create and establish school districts in their respective counties.

As to school
districts.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act entitled an Act authorizing county courts of this State to create and establish school districts in their respective counties, approved March 25, 1891, be and the same is hereby so

amended as to add to Section 1 of said Act the following: *Provided*, the same shall be done only at the July term of the court, written notice of the same having been read at some previous term of the quarterly court.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 1, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 3, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 84.

[SENATE BILL NO. 419.]

AN ACT to amend an act passed by the General Assembly of the State of Tennessee March 23, 1889, and approved April 1, 1889, entitled "An act to prohibit catching fish and killing fowls in or on the waters of Reelfoot Lake," being Chapter 156 of the published Acts of 1889, and to amend Section 2244 of Milliken & Vertrees' compilation of the laws of Tennessee.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That An Act passed by the General Assembly of the State of Tennessee, March 25, 1889, and approved April 1, 1889, entitled, "An Act to prohibit catching fish, and killing fowls in, or on the waters of Reelfoot Lake," being Chapter 156 of the published Acts of 1889, and Section 2,244 of the Milliken & Vertrees Compilation of the laws of Tennessee, be, and the same are so amended that hereafter it shall be lawful for any person to hunt and fish, kill fowls, and catch fish, on and from the waters of Reelfoot Lake, whether such person be a non-resident of the State of Tennessee, or not.

Non-residents
may hunt and
fish on Reel-
foot Lake.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 85.

[HOUSE BILL NO. 126.]

AN ACT to amend an act entitled "An act to establish and maintain a uniform system of public schools," the same being Chapter 25 of the Acts passed March 6, 1873, approved March 15, 1873.

County Super-
intendents to
countersign
certain war-
rants.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 9, Chapter 25 of the Acts passed March 15, 1873, be and the same is so amended as to read, after Article 7 of said Section 9, as follows: *Provided*, further, that in all cases where the district directors of the public schools issue warrants upon the county trustee for school apparatus, maps, charts, globes, school furniture and all other expenditures of the public school funds, except for teachers' salaries, the warrants so drawn by said directors shall be countersigned by the county superintendent before the same shall be paid by the county trustee.

Record to be
kept.

Sec. 2. *Be it further enacted*, That it shall be the duty of the county superintendent to keep a well bound book in which he shall enter a memorandum of all warrants countersigned, as provided in Section 1 of this Act, showing the amount and date of each warrant, to whom issued, for what purpose and from which district; and said county superintendent shall include in his annual report to the county court a full, clear and succinct

statement of all warrants so countersigned by him.

Sec. 3. *Be it further enacted*, That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 15, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 86.

[HOUSE BILL No. 7.]

AN ACT directing the disposition of damages recovered for the unlawful death of a wife and mother, and giving the right to sue for such damages to the husband or administrator.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the damages which may be recovered for the wrongful killing of any married woman shall go to the surviving husband and children of the deceased equally, the husband taking a child's share, and if any child be dead having descendants such descendants shall take the deceased child's part. If there are no children nor descendants of children, then the damages shall go exclusively to the husband. If the husband shall die after the cause of action accrued and before recovery is collected, then his share will go to his next of kin.

Sec. 2. *Be it further enacted*, That a suit for the wrongful killing of the wife may be brought in the name of the husband for the benefit of himself and the

Husband may bring suit.

children of the wife, or in the name of administrator of the deceased wife.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage; the public welfare requiring it.

Passed January 22, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved January 22, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 87.

[SENATE BILL NO. 76.]

AN ACT to amend an act entitled "An act to establish taxing districts of the second class, and to provide the means of local government therefor," passed April 1, 1881, and approved April 6, 1881, being Chapter 127 of the Acts of 1881.

Commissioners may enact
and enforce
ordinances.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee, That An Act entitled "An Act to establish taxing districts of the second class, and to provide for the government therefor," passed April 1, 1881, being Chapter 127 of the Acts of 1881, be, and the same is hereby so amended as to authorize and empower the commissioners of taxing districts of the second class, in addition to the powers already conferred on such commissioners, to enact all by-laws and ordinances necessary to carry into effect the object of their appointment, or election, not inconsistent with the general laws of the State, and to fix penalties for the violation of the same; and the commissioners of all taxing districts of the second class shall have full power and authority, by ordinance, to require all lot owners, bordering on any street, or the public square, within the boundaries of such taxing district, at the expense of such*

owner or owners, to construct and maintain good comfortable side walk or side walks, of the width and manner prescribed by said commissioners, with suitable curbing, to be prescribed by ordinance, in front of such lots along the streets, and on the public square of such taxing districts, and the said commissioners shall have power and authority to fix and enforce the penalty for failure to comply with the requirements of such ordinance.

Sec. 2. *Be it further enacted*, That in the event the owner or owners of such lots fail, neglect, or refuse to comply with such ordinance or ordinances in the construction of such side walk, or side walks, as may be ordered by the said commissioners, then the said commissioners shall have power and authority to construct such side walk or side walks in front of such lot or lots, at the expense of the owner or owners; and the expense or cost of such side walk or side walks shall be, and constitute a prior and superior lien to all other liens, except for taxes, on the lot or lots in front of which the said side walk or side walks may be constructed, and such lien may be enforced at the suit of the commissioners of such taxing districts, for the use of such taxing districts, against the owner or owners of such lot or lots in the manner now provided by law for the enforcement of liens on real estate; or the amount may be recovered of the owner or owners of such lots by suit before any court of competent jurisdiction; *Provided*, however, that the owner or owners of such lots shall have thirty days' written notice of the intention of the commissioners of such taxing district to construct such side walk or side walks in the event of failure of the owner or owners to construct such side walk or side walks within the thirty days specified in the notice.

Commissioners to construct side-walks, when.

May enforce
lien.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 15, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 88.

[SENATE BILL NO. 32.]

AN ACT to amend an act entitled "An act to provide for the organization of corporations," passed March 19, 1875, being Chapter 142 of the Acts of 1875, so as to provide that corporations, not organized for individual profit, may execute mortgages and deeds of trust upon property owned by them.

Private corporations may issue bonds, etc.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee, That An Act passed March 19, 1875, and approved March 23, 1875, entitled, "An Act to provide for the organization of corporations," the same being Chapter 142 of the Acts of 1875, be, and the same is hereby so amended as to authorize and provide, that all corporations, not for individual profit, that have been heretofore, or may be hereafter, chartered under the said Act, or its amendments, be, and they hereby are, empowered and authorized to borrow money to be used in payment of property bought by them, and for erecting buildings, making improvements, and for other purposes germane to the objects of their creation, and secure the repayment of the money thus borrowed by mortgage, pledge or deed of trust, upon such property, real, personal or mixed, as may be owned by them; and they may, in like manner, secure by mortgage, pledge or deed of trust, any existing indebtedness which they may have lawfully contracted.*

Sec. 2. *Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.*

Passed January 18, 1897.

JOHN THOMPSON,
Speaker of the Senate.

J. D. JOHNSON,
Speaker pro tem. of the House of Representatives.

Approved January 20, 1897.

P. TURNER,
Governor.

CHAPTER 89.

[HOUSE BILL NO. 58.]

AN ACT appropriating the sum of twenty-five thousand dollars (\$25,000) for the purpose of erecting an additional building or buildings for the white insane at the Eastern Hospital for the Insane at Lyons' View, Knox County, Tenn.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the sum of twenty-five thousand dollars (\$25,000) be and the same is hereby appropriated for the purpose of erecting an additional building or buildings for the white insane at the Eastern Hospital for the Insane at Lyons' View, Knox County, Tennessee. Said building or buildings shall be erected under the supervision, control and direction of the trustees of said hospital, and they shall employ an architect and provide suitable plans and specifications for the same. In no event shall the cost of said building or buildings exceed the sum herein appropriated of \$25,000.

\$25,000 appropriated to
Eastern Hos-
pital for In-
sane.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 19, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 90.

[SENATE BILL NO. 271]

AN ACT to give consent to the acquisition by the United States, by purchase or condemnation in the courts of competent jurisdiction, of such lands as may be required for the establishment of a fish hatchery, and the erection of buildings, near Erwin, Unicoi County, Tenn., and to grant cession of jurisdiction over such lands so acquired.

Preamble.

Whereas, The Congress of the United States has made an appropriation for the purpose of establishing a fish hatchery upon a site to be selected by the United States Commissioner of Fish and Fisheries, and said commissioner has selected a site near Erwin, Unicoi County, Tennessee; therefore,

United States
may acquire
necessary
lands.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the consent of the Legislature of the State of Tennessee be, and is hereby given, to the acquisition by the United States, by condemnation or purchase, of any land needed for such fish hatchery, if proceedings for condemnation are found to be expedient or necessary, and are instituted and prosecuted to termination by the United States.

Registration
of decree.

Sec. 2. *Be it further enacted,* That upon the registration of the judgment or decree of condemnation of the courts of competent jurisdiction in the registrar's office of the county where such lands lie, the jurisdiction over the tract or tracts of land, as severally decided in such decree or judgment of condemnation or purchase be, and the same shall be thereby and thenceforward ceded and granted to the United States.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 15, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 91.

[HOUSE BILL NO. 20.]

AN ACT to amend an act entitled "An act to amend Chapter 35, Acts of 1877, and Chapter 46, Acts of 1883, as compiled in Section 2249 of M. & V. compilation of laws," and to define a lawful fence, and to authorize County Courts to adopt for their respective counties a standard for a lawful fence, as defined in said Act and this Act ; and to provide for the assessment and collection of damages for stock trespassing upon the inclosures which are fenced under said Act.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1 of an Act entitled, "An Act to amend Chapter 35, Acts of 1877, and Chapter 46 of Acts of 1883, as compiled in Section 2,249 of M. & V. Compilation of laws, and to define a lawful fence, and to authorize county courts to adopt for their respective counties a standard for a lawful fence as defined in said Act and in this Act," it being Chapter 92, Acts of 1891, be, and the same is hereby, so amended as to add to Section 1 of said Act, after the word "slat," the following:

That when any trespass shall have been committed by horses, cattle, hogs, goats, sheep or other stock upon the cleared and cultivated ground of any person having the same fenced, as is described in this Act, he may complain to a justice of the peace of the county, who shall cause two discreet and impartial freeholders to be summoned, and with them shall view and examine, on oath, whether the complainant's fence be a lawful fence, as provided by this Act, and what damage, if any, he has sustained by said trespass, and certify the result of such view and examination under their hands and seals to the justice and freeholders, which certificate the justice shall deliver to the complainant, and said certificate shall be prima facie evidence of the plaintiff's demand, and the owner shall make full satisfaction for the trespass and damages to the party injured, to be recovered before any tribunal having cognizance thereof, which tribunal shall give judgment for such damages and costs, and to secure the payment of the same, execution shall be levied upon the stock committing the trespass; and after ten days notice such stock shall be sold to satisfy the judgment so recovered for such damages and costs.

Damages for
trespass, how
determined
and recovered

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 22, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved January 27, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 92.

[HOUSE BILL NO. 267.]

AN ACT to provide for the charter of religious Sunday school boards, of religious societies, organizations or denominations, and to amend Chapter 142 of the Acts of the General Assembly of 1875, entitled "An act to provide for the organization of corporations."

Amendment. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 142 of the Acts of 1875 of the General Assembly of the State of Tennessee, being an Act entitled, "An Act to provide for the organization of corporations," be amended so that the following shall be the form of charters for religious Sunday School Board of Religious Organizations, Societies, or Denominations: Be it known that (here insert names of five or more persons, desiring to be incorporated) and their successors chosen under the rules and regulations of the Church or denomination, and holding office under the rules, usages, and regulations of said church, are hereby constituted a body politic and corporate, by the name and style of the Sunday School Board of Church or denomination, for the purpose of the establishment, support, and maintenance of any Sunday school undertaking on the part of said church, and to print or purchase and disseminate, by gift or sale, religious literature. Said corporation shall have the power to establish and support religious Sunday schools; to purchase, own, or lease land on which to build houses in which to conduct said Sunday schools; to borrow money when neces-

Form of charter.

sary for the conduct of the business of the corporation; to employ all necessary agents; to solicit, collect, or receive, subscriptions in money or otherwise, legacies or devices, to be used in forwarding any or all of the purposes above set out or herein provided for; to purchase, have printed, or print, edit, conduct and carry on for Sunday school purposes and uses, a magazine or magazines, a paper or papers, books, tracts, periodicals, etc.; to rent or purchase a room or rooms or building for the office and work of the corporation, and all necessary appliances, furniture, and materials for conducting the business of the corporation, to rent or purchase all necessary printing presses, type, material and stationery, and to disseminate, by sale or gift, all literature deemed necessary for carrying on the work of the corporation, but in all things to be governed by the rules and regulations of said Church or denomination, so far as the same are consistent with the constitution and laws of the State of Tennessee and of these United States.

The general powers of the said corporation shall be, to sue and be sued by the corporate name; to have and use a common seal, which it may alter at pleasure; if no common seal, then the signature of the corporation, by any duly authorized officer, shall be legal and binding; to purchase and hold or receive by gift, device or bequest, in addition to the personal property owned by the corporation, real estate necessary for the transaction of the corporate business; and also to purchase and accept any real estate in payment or part payment of any debt due the corporation, and to sell the same; to make by-laws and all rules and regulations not inconsistent with the Constitution and laws of the United States of America, and the State of Tennessee, and not contrary to the constitution, rules and regulations of the said Church or denomination, deemed expedient for the management of the corporate affairs; to appoint such subordinate officers in addition to a chairman and treasurer, not chosen by the governing body of said Church or denomination, as the business of the corporation may require, and as are not forbidden by the rules and regulations of said Church or denomination, and to designate the names of the officers and fix their compensation.

Sec. 2. *Be it further enacted*, That the charter above provided for shall be procured, registered, and governed by the laws of the State of Tennessee, regulating the procurement of charters, and that the minimum number of incorporators as above provided shall be five.

Powers of the corporation.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed Feb. 4, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved Feb. 6, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 93.

[SENATE BILL NO. 344.]

AN ACT to prohibit conspiracies or agreements to limit the output of coal in this State, or to raise the price of coal to the consumer, or to any intermediate dealer.

Coal combines illegal. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That any person who, directly or indirectly, enters into a conspiracy or agreement with intent to limit the output of coal in this State for the purpose of raising the price of coal to the consumer, or to any intermediate dealer, shall be guilty of a misdemeanor, and, upon conviction, fined not less than one thousand dollars.

Sec. 2. *Be it further enacted*, That all laws and parts of laws inconsistent with this Act, be and the same are hereby repealed.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.
MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 94.

[HOUSE BILL NO. 227.]

AN ACT to declare unlawful and void all arrangements and contracts, agreements, trusts or combinations made with a view to lessen or which tend to lessen free competition in the importation or sale of articles imported into this State; or in the manufacture or sale of articles of domestic growth or of domestic raw material; to declare unlawful and void all arrangement, contracts, agreements, trusts or combinations between persons or corporations designed, or which tend to advance, reduce or control the price of such product or articles to producer or consumer of any such product or article; to provide for forfeiture of the charter and franchise of any corporation, organized under the laws of this State, violating any of the provisions of this Act; to prohibit every foreign corporation violating any of the provisions of this Act from doing business in this State; to require the Attorney-general of this State to institute legal proceedings against any such corporations violating the provisions of this Act, and to enforce the penalties prescribed; to prescribe penalties for any violation of this Act; to authorize any person or corporation damaged by any such trust, agreement or combination, to sue for the recovery of such damages, and for other purposes.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* and it is hereby enacted by the authority of the same, That from and after the passage of this Act, all arrangements, contracts, agreements, trusts or combinations between persons or corporations made with a view to lessen, or which tend to lessen, full and free competition in the importation or sale of articles imported into this State, or in the manufacture or sale of articles of domestic growth or of domestic raw material, and all arrangements, contracts, agreements, trusts or combinations between persons or corporations designed, or which tend, to advance, reduce or control the price or the cost to the producer or to the consumer of any such product or article, are hereby declared to be against public policy, unlawful and void.

Combinations
against pub-
lic policy

Sec. 2. *Be it further enacted,* That any corporation chartered under the laws of the State which shall violate any of the provisions of this Act, shall thereby forfeit its charter and its franchise, and its corporate existence shall thereupon cease and determine. Every for-

Corporations
violating this
Act to forfeit
charter.

eign corporation, which shall violate any of the provisions of this act, is hereby denied the right to do, and is prohibited from doing, business in this State. It is hereby made the duty of the Attorney General of this State to enforce the provisions by due process of law.

Penalties for violation.

Sec. 3. *Be it further enacted*, That any violation of the provisions of this Act shall be deemed, and is hereby declared to be, destructive of full and free competition and a conspiracy against trade, and any person or persons who may engage in any such conspiracy, or who shall, as principal, manager, director or agent, or in any other capacity, knowingly carry out any of the stipulations, purposes, prices, rates, or orders made in furtherance of such conspiracy, shall, upon conviction, be punished by a fine of not less than one hundred dollars or more than five thousand dollars, and by imprisonment in the penitentiary not less than one year nor more than ten years; or in the judgment of the court, by either such fine or imprisonment.

Exception.

Sec. 4. *Be it further enacted*, That the provisions of this Act shall not apply to agricultural products or live stock while in the possession of the producer or raiser.

Damaged parties may sue and recover.

Sec. 5. *Be it further enacted*, That any person or persons or corporation that may be injured or damaged by any such arrangement, contract, agreement, trust or combination, described in Section 1 of this Act, may sue for, and recover, in any court of competent jurisdiction in this State, of any person or persons or corporation operating such trust or combination, the full consideration or sum paid by him or them for any goods, wares, merchandise, or articles, the sale of which is controlled by such combination or trust.

Judges and grand juries.

Sec. 6. *Be it further enacted*, That it shall be the duty of the Judge of the Circuit and Criminal Courts of this State specially to instruct grand juries as to the provisions of this Act.

Sec. 7. *Be it further enacted*, That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Sec. 8. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 95.

[HOUSE BILL NO. 244.]

AN ACT to provide for the removal of partition fences enclosing the lands of different owners, and to make the violation of same a misdemeanor.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That no partition fence, or any part of such fence, by which the lands of different owners are enclosed, shall be removed without the mutual consent of said owners, unless the party desiring to remove said fence; or part thereof, shall first give six months' notice in writing to the owner or owners of his intention to remove said fence, and after the expiration of the time of said notice, he may remove the same.

Sec. 2. *Be it further enacted,* That any person who removes said partition fence, or any part thereof, without first giving the notice required by Section 1 of this Act, shall be guilty of a misdemeanor, and shall moreover be liable to the party for any damages sustained by the reason of the removal of said fence. *Misdemeanor.*

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 9, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 96.

[SENATE BILL NO. 298.]

AN ACT to regulate the lien acquired by judgments, decrees, bills in equity, judicial attachments, lis pendens, levies of attachment, or levy of execution on land in any other counties than the county in which the judgments or decrees are rendered, the bill in equity, judicial attachment or lis pendens is filed, or from which attachment or execution are issued.

Title not affected, when.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the title to real estate in any other counties than the county in which the judgment or decree is rendered, the bill in equity, judicial attachment, or lis pendens is filed, or from which attachments or executions are issued, shall not be in any manner affected as to third parties by any lien acquired by any judgment, decree, bill in equity, judicial attachment, or lis pendens, levy of attachment, or levy of execution, without actual notice thereof, till an abstract of such proceeding shall have been filed for record in the register's office of the county where the land lies. Such abstract shall be recorded in a book to be kept in said office, to be called the Judgment Roll—the book to be furnished, as other books of record, by the county court.

Abstract of decree shall show, what.

Sec. 2. *Be it further enacted,* That the abstract of the judgment or decree shall show briefly the names of the parties, plaintiff and defendant, the name of the court, and number of the case, and the amount, and date of judgment or decree, and the names of all parties against whom the judgment or decree is taken. The abstract of the bill in equity, attachment, bill, lis pendens, judicial attachment, shall show briefly the names of the parties, plaintiff and each defendant, name of the court, and number of case, date of filing the bill, or commencement of the suit, date of levy of the attachment, and description of the property upon which it is sought to fix the lien. The abstract of the attachment or execution shall show briefly the names of the parties to the suit, the name of the court issuing the attachment or execution, the number of the execution or attachment, the date of issue and date of levy and description of the property on which the levy is made,

and the names of all parties named as owners or interested in the property levied on.

Sec. 3. *Be it further enacted*, That the clerk or sheriff shall furnish said abstract upon the demand of any party entitled thereto, and shall receive therefor twenty-five cents, and the register shall receive twenty-five cents for filing and recording the same. The register shall keep a direct and reverse index of said abstracts, showing the names of all the plaintiffs in alphabetical order, and of all the defendants in alphabetical order, and especially the names of each party against whom a judgment is taken, or as owner in any land or interest levied on, as the grantor and grantee are now indexed in the record of deeds.

Sec. 4. *Be it further enacted*, That the record of liens provided by this Act may be released by the owner of the lien or his attorney of record entering on the margin of the record of such lien the words "Satisfied in full," or their equivalent, dating the same, and signing the same, which entry shall be witnessed by the register or deputy, for which the register is entitled to a fee of ten cents; or said release may be made by an instrument in the nature of a Quit Claim Deed.

Sec. 5. *Be it further enacted*, That a certified copy of said abstract, certified by the register, shall be received as evidence in any of the courts or judicial tribunals of this State.

Sec. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

Clerk or sherr-
iff to furnish
abstract.

Record of
liens, how
released.

Certified copy
evidence.

CHAPTER 97.

[SENATE BILL NO. 7.]

AN ACT to amend Article 7, Chapter 2, being Sections 3409 to 3413, inclusive, of the M. & V. compilation of the laws of the State of Tennessee, so as to make the same apply to the removal of the guardianship of persons of unsound minds.

Code amended Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the provisions of Article 7, Chapter 2, being Sections 3409 to 3413, inclusive, of the M. and V. Compilations of the laws of the State of Tennessee, be amended so as to apply also to the removal of the guardianship of persons of unsound minds, as well as of infants, and the county courts of this State are hereby empowered to transfer guardianships of persons of unsound minds from one county to another in this State, in the same manner and for the same causes as such courts are now authorized to transfer the guardianship of minors.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 23, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 6, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 98.

[SENATE BILL NO. 33.]

AN ACT to require employers of females to provide separate water-closets for them.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all persons hiring or employing female help in any manufacturing or mercantile business or establishment, shall provide separate privies or water closets for such female help. Separate water closets.

Sec. 2. *Be it further enacted,* That no male person Males excluded. shall enter such separate privies or water closets except for the purpose of repairing or cleaning the same.

Sec. 3. *Be it further enacted,* That a violation of the Fine. foregoing sections shall be a misdemeanor punishable by a fine of not less than two or more than ten dollars.

Sec. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 22, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved January 27, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 99.

[SENATE BILL NO. 155.]

AN ACT to authorize the building of side-walks in villages or unincorporated towns, and to prevent persons from riding a horse or driving a team or vehicle thereon.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be lawful for any person or persons owning town lots, or lands adjoining the public highways or streets in any village or unincorporated town in the State, to construct suitable side walks on said highways or streets along the line of said lots or lands. Lawful to construct side-walks.

Sec. 2. *Be it further enacted*, That when any side walks shall have been constructed as aforesaid, every person who shall ride, or drive a horse, team or other vehicle thereon, except for the purpose of crossing the same when necessary to do so, shall be guilty of a misdemeanor, and punished in the same manner as for other misdemeanors.

Passed March 11, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 100.

[SENATE BILL NO. 267.]

AN ACT to amend Section 3192 of the Code of Tennessee, so as to prohibit the institution of suits "cognizable in the Courts of Admiralty in the United States" under paupers' oath.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That after the words "false imprisonment" in the first line of Section 3192 of the Code of 1858, there shall be inserted the following clause: "suits cognizable in the Courts of Admiralty of the United States."

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 15, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 101.

[SENATE BILL NO. 65.]

AN ACT for the protection of boarding schools and colleges for females, and the principals and inmates thereof.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter it shall be unlawful for any person, or persons, to wilfully and unnecessarily interfere with, disturb, or in any way disquiet the pupils of any school or college for females in this State, or the principal or teachers in charge of them, while on any public road or street, or in any building or structure, or on the school premises; nor shall any communication be had, for such purposes, with such pupils, or any one of them, either orally or in writing, or by signs or otherwise; and it shall also be unlawful for any person to enter upon any such school or college premises, except on business, without first having obtained permission of the principal in charge of same; and every person guilty of either of said offenses, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall pay a fine of not less than five nor more than fifty dollars for each offense, on the first conviction; and upon the second, and each subsequent conviction, of a like offense, shall pay a fine of not less than ten nor more than fifty dollars, and be imprisoned at the discretion of the court, in the county jail, not less than ten nor more than thirty (30) days.

Unlawful to
disturb pu-
pils of female
schools.

Sec. 2. *Be it further enacted,* That it shall be unlawful for any person, or persons, to loiter, wander, stand, or sit upon the public roads, streets, alleys, side walks, or other places, or to frequently and unnecessarily pass along the same in such manner, and with intent to annoy, vex or disturb the owners, lessees or occupants of any premises in the State used for the purposes of a school or college for the education of females, or with intent to disturb, annoy and harass the teachers, principal or pupils, or any one of them, as they pass along the public highways, streets, or alleys of any city in the State; and any person, or persons, violating this section of this Act shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined and punished in the same way, and to the same extent, as if convicted under the first section of this Act.

Unlawful to
loiter around
female school

Sec. 3. *Be it further enacted,* That this Act take ef-

flect forty (40) days after its passage, the public welfare requiring it.

Passed March 17, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 102.

[SENATE BILL NO. 13.]

AN ACT declaring it to be a misdemeanor to cut, break down, or otherwise interrupt or interfere with the current, lines, poles or appliances of any electric light and power company, or any company engaged in furnishing light, heat or power by electricity.

*Unlawful to
interfere with
electric lines.*

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be unlawful for any person, firm or corporation, to tap off of, or use without authority, or to willfully cut, break down, or otherwise interrupt or interfere with the current, lines, poles, or appliances of any electric light and power company, or any company engaged in furnishing light, heat, or power by electricity.

*Grade of of-
fense and fine*

Sec. 2. *Be it further enacted,* That any such cutting, breaking down, interruption, or interference shall be a misdemeanor, punishable by a fine of not less than \$5 nor more than \$50, or imprisonment in the County Work House, if there be such, or in the County Jail, if there be no work house in such county, for a period of not less than ten days nor more than twelve months, for each and every offense, or both, at the discretion of the court.

Sec. 3. *Be it further enacted*, That the various criminal and circuit court judges, of this State, shall give this Act in charge of the grand jury.

Passed January 22, 1897.

JOHN THOMPSON,

Speaker of the Senate.

MORGAN C. FITZPATRICK,

Speaker of the House of Representatives.

Approved January 27, 1897.

ROBT. L. TAYLOR,

Governor.

CHAPTER 103.

[SENATE BILL NO. 104.]

AN ACT to amend Section 6189 of Milliken & Vertrees' compilation of the laws of Tennessee, and to allow persons charged with crime in other States and territories time within which to consult counsel after arrest in this State, and to provide a penalty for the violation of this Act.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 6189 of Milliken and Vertrees' Compilation of the Laws of Tennessee, be, and the same is hereby, amended by adding thereto the following words, to-wit: "Provided, however, that no such person so arrested shall be removed from the county where arrested for forty-eight hours after arrest, and shall, during that time be allowed to consult counsel."

Sec. 6189 Code
amended.

Sec. 2. *Be it further enacted*, That any person, or persons, violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than fifty nor more than five hundred dollars.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1897.

JOHN THOMPSON,

Speaker of the Senate.

MORGAN C. FITZPATRICK,

Speaker of the House of Representatives.

Approved March 12, 1897.

ROBT. L. TAYLOR,

Governor.

CHAPTER 104.

[SENATE BILL No. 523.]

AN ACT to require the work-house commission of counties of over 55,000 and under 75,000 population by the Federal census of 1890, or any future Federal census, to elect a superintendent at the January meeting, 1898, for a term of four years, and to provide for his election every four years thereafter; to authorize the superintendent so elected to employ his guards and other employees; to prevent a member of the County Court from becoming superintendent, and to prevent any person related to any member of the work-house commission to the third degree from being eligible to the office of superintendent of the work-house.

Acts of 1891
amended.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 7 of the Acts of 1891, passed March 30, 1891, be so amended as to require the Work House Commission in counties of over 55,000 and under 75,000 population, by the Federal Census of 1890, or any future Federal Census, at their regular meeting in January, 1898, to elect a Superintendent of the Work House, who shall hold his office for a term of four years; and it shall be the duty of the Work House Commission in January every four years thereafter to elect a successor to said superintendent, and that when elected said superintendent shall be authorized and empowered to employ all guards and other employees.

Sec. 2. *Be it further enacted,* That no member of the county court shall be eligible to the office of superintendent while a member of said court.

Sec. 3. *Be it further enacted,* That no person related by affinity or consanguinity, within the third generation to any member of the Work House Commission shall be eligible to the office of superintendent of the work house.

Sec. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 1, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 2, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 105.

[HOUSE BILL NO. 459.]

AN ACT to empower municipal corporations having 20,000 population and upwards according to the Federal Census of 1890, or any subsequent Federal Census, to establish and maintain free public libraries and reading rooms, and to aid certain free public library associations already established, and to provide for their protection, management and control; and to empower such libraries and library associations to receive gifts of money or other property, and to exempt their property from taxation and execution.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and City Council of each municipal corporation, or taxing district, having a population of 20,000, and upwards, according to the Federal Census of 1890, or any subsequent Federal Census, shall have power to establish and maintain a free public library and reading room for the use and benefit of the inhabitants of such municipality, and for this purpose may levy a tax of not more than one cent annually on each one hundred dollars of taxable property of such municipality, such tax to be levied and collected in like manner with other general taxes of such municipality, and to be known as the library fund.

Sec. 2. *Be it further enacted,* That when any mayor and city council shall have decided by ordinance to establish and maintain a free public library and reading room under this Act, the mayor shall appoint, by and with the approval of the city council, a board of nine directors to be chosen from the citizens of the municipality, with reference to their fitness for such office, and to be known as the Board of Directors of the Public Library, in which name they shall exercise the powers hereinafter stated: No member of the municipal government shall be a member of said board; and not more than six members of said board shall belong to the same political party. Said directors shall hold office, one third for one year, one third for two years, one third for three years, from the first day of July next following their appointment, and at their first regular meeting shall cast lots for their respective terms; and annually thereafter, not more than thirty days before the first day of July of each year, the Mayor shall appoint,

Free public li-
braries pro-
vided for.

Board of di-
rectors.

Term of office.

as before, by and with the approval of the city council, three directors, who shall hold office for three years from the first day of July next following their appointment, and until their successors are appointed. The Mayor may, by and with the consent of the city council, remove any director for misconduct, or neglect of duty. Vacancies in the board for any cause whatever shall be immediately filled in the manner in which original appointments are made. No director shall receive pay or compensation for services rendered as such; and the officers and employees of the library shall give such bond as the Mayor and city council shall require.

**Organization
and powers.**

Sec. 3. *Be it further enacted*, That the said board of directors shall immediately after their appointment, meet and organize by electing one of their number president and such other officers as they may deem necessary. They shall have complete and final power to appoint a suitable librarian and assistants, fix their compensation, and remove their appointments at pleasure.

Same.

Sec. 4. *Be it further enacted*, That said board of directors shall have power to make and adopt such by-laws, rules and regulations for their own guidance, and for the government of the library and reading room, as they may deem expedient, not inconsistent with this Act, and shall prescribe penalties for violations of the same, *Provided*, The Mayor and city council shall have power to set aside any by-law, rule or regulation so adopted.

Same.

Sec. 5. *Be it further enacted*, That said board of directors shall have power to purchase, hold, or lease grounds, to occupy, lease or erect an appropriate building or buildings for the use of such library; also to accept any gift of money or property thereto; and all property purchased, or otherwise obtained by such board, and the title thereto, shall vest in such board and their successors as a body corporate, to be held by it in trust for the uses of said library; and said board shall have the exclusive submission, care and custody of the grounds, rooms, or buildings constructed, purchased, leased, set apart or occupied for the purpose of the said library and reading room. The said board shall also have the exclusive control of the expenditure of all moneys collected or donated to the credit of the library fund, *Provided* all taxes levied or collected for said library fund, or funds donated thereto, shall be kept for the use of such library separate and apart from the

other funds of the said municipality, and shall be disbursed only when drawn upon by the proper officer of said municipality, upon the properly authenticated vouchers of the said board of directors.

Sec. 6. *Be it further enacted*, That every library and reading room established and maintained under this Act shall be forever free to the use of the inhabitants of the municipality where located, subject to such reasonable rules and regulations as the board of directors may adopt in order to render the use of said library and reading room of the greatest benefit to the greatest number. Said board may extend the privileges and use of such library and reading room to persons residing outside of said municipality upon such terms and conditions as they may deem proper. Said board may exclude from said library and reading room any and all persons who shall willfully violate the rules prescribed for its government and control.

Sec. 7. *Be it further enacted*, That the board of directors of said library shall report to the Mayor and city council on the first Tuesday of May of each year, showing the condition of their trust, with itemized statement of the moneys received and expended by them since their last annual report, together with such statistics, information and suggestions as they may deem proper to so report, or as the Mayor and city council may require, which report shall be verified by affidavit of the proper officer of said board.

Sec. 8. *Be it further enacted*, That the Mayor and city council of any municipal corporation included in Section 1 of this Act, shall have power to aid any free public library association already established in such municipality, and for that purpose may levy, from year to year, in the manner therein provided for, the tax authorized in said section, and for the same purpose may expend the tax so collected, *Provided*, it shall be shown to the satisfaction of the Mayor or city council, (1) That said library association is legally incorporated under the laws of Tennessee; (2) That it is already in regular and useful operation under its charter with a lawfully constituted board of officers and directors; (3) That it has available for public use, and in such use, books of the value of not less than five thousand dollars; and *Provided*, further, it shall be shown to the satisfaction of the Mayor or city council within sixty days next before the day for the levy of the general annual taxes of said municipality that such aid is needed in order to the continued useful public operation of such library association.

Libraries to be
free.

Directors to
report.

Corporations
may aid libra-
ries.

May levy tax.

Municipalities aiding may share in the management. Sec. 9. *Be it further enacted*, That any free public library association receiving municipal aid as provided for in the foregoing Section 8 may continue to select its own directors and control its own management as authorized in its charter; *Provided*, the Mayor and city council shall have power at any time while such library association is receiving such aid, to appoint three directors on said library board; and, *Provided*, further, that the Mayor and city council shall have the same power at any time while such library association is receiving such aid, of setting aside by-laws, rules and regulations of said library association, as is granted in the foregoing Section 4 in regard to the libraries to be originally established under this Act. No director of any library association receiving such aid shall receive any pay or compensation for services rendered as such; and the officers and employees of such association shall give such bond as the Mayor and city council shall require.

Sec. 10. *Be it further enacted*, That any free public library association receiving municipal aid as provided for in the foregoing Section 8, shall be subject to the provisions of and vested with the powers granted in the foregoing Sections 6 and 7; and shall have power to receive the aid provided for in this Act, and at any time to accept donations of money, or property of any kind, from any lawful source whatsoever.

Money to be kept separate Sec. 11. *Be it further enacted*, That the moneys collected for the benefit of such library association, as provided for in the foregoing Sections 1 and 8, shall be kept separate and apart from the other funds of the municipality, as required in Section 5 of this Act, and disbursed in the manner required in said Section 5.

Sec. 12. *Be it further enacted*, That the Mayor and city council shall have power to pass ordinances imposing suitable penalties for the punishment of persons committing injury upon any library, reading rooms, or upon the grounds or other property thereof, established or aided under this Act.

Exempt from taxation. Sec. 13. *Be it further enacted*, That the property and grounds of the libraries established or aided under this Act be exempt from taxation and execution.

Sec. 14. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 2, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 9, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 106.

[HOUSE BILL NO. 103.]

AN ACT making it a felony to knowingly cut or remove timber from the lands of another for the purpose of marketing the same, and prescribing punishment therefor.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be a felony for any one to knowingly, willfully and maliciously cut, or to remove for the purpose of marketing the same, timber from the lands of another, without the consent of the owner of the timber so cut or removed.

Sec. 2. *Be it further enacted*, That any one convicted of a violation of the provisions of this Act, shall be imprisoned in the penitentiary of the State for a period of not less than one nor more than three years.

Passed March 17, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 107.

[SENATE BILL NO. 41.]

AN ACT to provide for the filing and recording, by any person or association, or union of working men, of a label, trade mark, term, design, device, or form of advertisement for the purpose of designating or making known or distinguishing any goods, wares, or other products of labor, as having been made, manufactured, produced, or put on sale by such person, association or union of workingmen, or by a member of such union or association, and to prohibit the counterfeiting or imitation or unauthorized use of such label, trade mark, term, design, device or form of advertisement, and to prescribe punishment for a violation of the provisions of this Act.

**Unlawful to
counterfeit
label, etc.**

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That whenever any person, or any association, or union of working men, has heretofore adopted or used, or shall hereafter adopt or use, any label, trade mark, term, design, device, or form of advertisement for the purpose of designating, making known, or distinguishing any goods, wares, merchandise, or other product of labor, as having been made, manufactured, produced, prepared, packed, or put on sale by such person, or association, or union of working men, or by a member or members of such association or union, it shall be unlawful to counterfeit or imitate such label, trade mark, term, design, device, or form of advertisement, or to use, sell, offer for sale, or in any way utter or circulate any counterfeit or imitation of any such label, trade mark, term, device, or form of advertisement.

**Punishment
for violation.**

Sec. 2. *Be it further enacted,* That whoever counterfeits or imitates any such label, trade mark, term, design, device, or form of advertisement, or sells, offers for sale, or in any way utters or circulates any counterfeit or imitation of any such label, trade mark, term, design, device, or form of advertisement, or knowingly keeps, or has in his possession with intent, that the same shall be sold or disposed of, any goods, wares, merchandise or other product of labor to which or on which any such counterfeit or imitation is printed, painted, stamped, or impressed; or knowingly sells or disposes of any goods, wares, merchandise or other product of labor contained in any box, case, can, or

package, to which or on which any such counterfeit or imitation is attached, affixed, printed, painted, stamped or impressed; or keeps, or has in his possession, with intent that the same shall be sold or disposed of, any goods, wares, merchandise, or other product of labor in any box, case, can, or package, to which or on which any such counterfeit or imitation is attached, affixed, printed, painted, stamped, or impressed, shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than three months.

Sec. 3. *Be it further enacted*, That every person, association, or union that has heretofore adopted, or used, or shall hereafter adopt or use, a label, trade mark, term, design, device, or form of advertisement as provided in Section 1 of this Act, may file the same for record in the office of the Secretary of State by leaving two copies, counterparts or fac similes thereof, with said secretary, and by filing therewith a sworn application specifying the name or names of the person, association, or union, on whose behalf such label, trade mark, term, design, device, or form of advertisement shall be filed, the class of merchandise, and a description of the goods to which it has been, or is intended to be, appropriated, stating that the party so filing, or on whose behalf such label, trade mark, term, design, device, or form of advertisement shall be filed, has the right to the use of the same; that no other person, firm, association, union, or corporation has the right to such use, either in the identical form or in any such near resemblance thereto as may be calculated to deceive, and that the fac simile or counterparts filed therewith are true and correct. There shall be paid for such filing and recording a fee of one dollar. Said secretary shall deliver to such person, association, or union so filing, or causing to be filed, any such label, trade mark, term, design, device, or form of advertisement so many duly attested certificates of the recording of the same as such person, association, or union may apply for, for each of which certificates said secretary shall receive a fee of one dollar. Any such certificates of record shall in all suits and prosecutions under this Act be sufficient proof of the adoption of such label, trade mark, term, design, device, or form of advertisement. Said Secretary of State shall not record for any person, union, or association any label, trade mark, term, design, device, or form of advertisement that would probably be mistaken for any label, trade mark, term, design, device,

or form of advertisement theretofore filed by, or on behalf of, any other person, union, or association.

False declarations.

Sec. 4. *Be it further enacted*, That any person who shall for himself, or on behalf of any other person, association, or union, procure the filing of any label, trade mark, term, design, or form of advertisement in the office of the Secretary of State, under the provisions of this Act, by making any false or fraudulent representations or declarations, verbally or in writing, or by any fraudulent means, shall be liable to pay any damages sustained in consequence of any such filing, to be recovered by, or on behalf of, the party injured thereby, in any court having jurisdiction, and shall be punished by a fine not exceeding one hundred dollars, or by imprisonment not exceeding three months.

Use of counterfeit label, etc., can be enjoined.

Sec. 5. *Be it further enacted*, That every such person, association, or union adopting or using a label, trade mark, term, design, device, or form of advertisement as aforesaid, may proceed by suit to enjoin the manufacture, use, display, or sale of any counterfeits or imitations thereof; and all courts of competent jurisdiction shall grant injunctions to restrain such manufacture, use, display, or sale, and may award the complainant in any such suit, the court having jurisdiction, such damages, resulting from such manufacture, use, sale or display, as may be by the court or jury deemed just and reasonable; and shall require the defendants to pay to such person, association or union, all profits derived from such wrongful manufacture, use, display or sale; and such court shall also order that all such counterfeits or imitations in the possession or under the control of any defendant in such case be delivered to an officer of the court, or to the complainant, to be destroyed.

Misdemeanor and fine.

Sec. 6. *Be it further enacted*, That every person who shall use or display the genuine label, trade mark, term, design, device, or form of advertisement of any such person, association, or union, in any manner, not being authorized so to do by such person, union, or association, shall be deemed guilty of a misdemeanor, and shall be punished by imprisonment for not more than three months, or by a fine of not more than one hundred (\$100) dollars. In all cases where such association or union is not incorporated, suits under this Act may be commenced and prosecuted by an officer or member of such association or union, in behalf of, and for the use of, such association or union.

Unauthorized use punishable.

Sec. 7. *Be it further enacted*, That any person or persons who shall in any way use the name or seal of any

such person, association or union, or officer thereof, in and about the sale of goods or otherwise, not being authorized to so use the same, shall be guilty of a misdemeanor, and shall be punishable by imprisonment for not more than three months, or by a fine of not more than one hundred dollars.

Sec. 8. *Be it further enacted*, That this Act shall take effect, and be in force, from and after its passage, the public welfare requiring it.

Passed February 3, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 6, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 108.

[SENATE BILL NO. 19.]

AN ACT to amend an act passed May 10, 1895, approved, May 14, 1895, Chapter 155, so as not to include population of cities having separate school organizations.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 155 of the Acts of 1895 be, and the same is, so amended as to insert after the word "over" at the end of Section 1 of said Act, the following words: "not including cities and towns having separate school systems not under the administration of the County Superintendent."

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 26, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved January 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 109.

[SENATE BILL NO. 193.]

AN ACT to amend Chapter 98 of the Acts of the General Assembly of the State of Tennessee, passed April 2, 1881, and approved April 4, 1881; also to amend Chapter 83 of the Acts of the said General Assembly, passed January 28, 1895, and approved May 6, 1895, authorizing the removal of toll-gates upon turnpikes near incorporated towns or cities.

*Turnpikes
may move
gates.*

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That any turnpike company whose first tollgate, nearest a town or city, was located by its charter, or amendment thereto, or has since been taken into the corporation limits by the extension of the corporation line, or limits of the town, if the same be unincorporated, may move and locate said first tollgate out on said turnpike, not more than two miles from the corporation line or limits of said town.

Same.

Sec. 2. *Be it further enacted,* That if said turnpike has more than two tollgates located upon it, such turnpike company, within one year after the removal of the first tollgate, shall abolish and discontinue the second tollgate on said road, and move and re-locate the third gate not more than one mile nearer the first gate; but if said turnpike has only two tollgates located upon it the second gate shall remain as authorized by law.

Repeal.

Sec. 3. *Be it further enacted,* That so much of said Acts of 1881, and 1895, recited in the caption of this Act, and all laws and parts of laws as are in conflict with the provisions of this Act, be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK.
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 110.

[SENATE BILL NO. 58.]

AN ACT to amend the school laws, providing for the reports of District Directors, County Trustees, County Superintendents, and State Superintendent.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all the reports now required of District Directors to be made to the County Superintendent shall be submitted to that officer on or before July 15, annually.

Sec. 2. *Be it further enacted,* That all reports due from the County Trustee to the County Superintendent of Schools shall be made on or before July 15, annually.

Sec. 3. *Be it further enacted,* That all reports due the State Superintendent from the County Superintendents shall be submitted on or before August 1, in each year.

Sec. 4. *Be it further enacted,* That the report of the State Superintendent of Public Instruction shall be submitted to the Governor on or before the 15th of September, annually.

Sec. 5. *Be it further enacted,* That all laws or parts of laws, in conflict with this Act, be and the same are hereby repealed.

Sec. 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 29, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 2, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 111.

[SENATE BILL NO. 71.]

AN ACT to authorize the incorporation of bar and library associations, and to define their powers.

Bar and library associations.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That from and after the passage of this Act, any five or more persons, over the age of twenty-one years, who are members of the bar of the various courts of Tennessee in good standing, desiring to form a corporation for the purposes of Bar and Library Associations, may copy the form of charter herein set forth, filling in the necessary blanks, and append to the same an application in these words: "We, the undersigned, apply to the State of Tennessee, by virtue of the laws of the land, for a charter of incorporation, for the purposes and with the powers declared in the foregoing instrument and laws of Tennessee. Witness our hands the day of"

Form of application.

Charter to be registered.

Sec. 2. The said instrument when probated as hereinafter provided, with application, probates and certificates, shall be registered in the county where the principal office of the corporation is situated, and also registered in the office of the Secretary of State, and a certificate of registration, given by the Secretary of State, under the great seal of the State, when registered in the register's office of said county, with the fac simile of said seal, complete the formation of said bar and library association, as a body politic; and the validity of the same in any legal proceeding shall not be collaterally questioned. Any corporation, created under and by authority of this Act, desiring to change its name, increase its capital stock, or obtain additional powers, shall have the right to do so in the method prescribed by Chapter 163 of the Acts of 1883, and carried into Milliken and Vertrees' Code as Section 1695.

Sec. 3. *Be it further enacted,* That any Bar and Library Association now in existence may obtain the benefit of this Act and charter by making an application as provided for in this Act for the organization of new associations.

Form of charter.

Sec. 4. *Be it further enacted,* That the charter for a bar and library association shall be as follows:

STATE OF TENNESSEE.

Charter of Incorporation.

Be it known that (here insert the names of five or more persons, members of the bar of the courts of Tennessee not under the age of twenty-one years) are hereby constituted a body politic and corporate by the name and style of (here insert the name of the corporation), for the purpose of conducting the business incident to bar associations, the improvement and elevation of the members of the bar; the creation, support, maintenance, and enlargement of a library for the use of the members of the bar and such other persons as shall be admitted thereto by the by-laws of such corporation; the purchase and improvement of ground, and the erection and maintenance of a building or buildings thereon, on which and in which, to conduct the business of said bar and library association, or to rent and furnish such building and ground as may be necessary for the proper transaction and conduct of the business of said corporation.

Sec. 5. *Be it further enacted*, That the general powers of this corporation are (here insert Section 5 of Chapter 142 of the Acts of 1875); said corporation may admit to its membership such persons, members of the bar of Tennessee, and in such manner and on such conditions as shall be prescribed by its by-laws; fix the amount of its capital stock and provide the terms of payments thereof, and the amount of each share, but all moneys raised and all profits derived from the use of the grounds, buildings and library or other property of this corporation shall be invested in the enlargement and improvement of the library or other property of the corporation, or the purchase of furniture, improvement of the library, or the purchase of furniture for the use thereof, or the purchase or improvement of real estate for the use of said corporation, and no dividends shall be declared upon the shares of stock; but in the event of a dissolution of the corporation in the methods prescribed by law, after payment of the debts of said corporation, the property shall be sold, and the avails thereof shall be divided among the share holders in proportion to the number of shares held by each. This corporation shall have the further power to buy such books, furniture, lease or purchase such land and buildings, or erect the same, as may be necessary in conducting the business, and carrying out the object for which such corporation is created.

Powers of corporation.

It shall also enjoy all the privileges and be subject to all the obligations now granted and imposed by the laws of Tennessee governing corporations, subject, however, to the restrictions herein enumerated.

Sec. 6. *Be it further enacted*, That this Act be in force and take effect from and after its passage, the public welfare requiring it.

Passed February 1, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 4, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 112.

[SENATE BILL NO. 456.]

AN ACT to reorganize the National Guard State of Tennessee, and to increase its efficiency, and so amend Chapter 159, Acts of 1887, entitled "An act to organize the militia of the State of Tennessee, and for the government of the same."

Regimental organization. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That each regiment of infantry shall consist of 1 colonel, 1 lieutenant colonel, 3 majors, 12 captains, 14 first lieutenants, 12 second lieutenants (the surgeon, assistant surgeon, chaplain, and non-commissioned staff officers now allowed by law), and 12 companies organized into 3 battalions of four companies each.

Regimental staff. Sec. 2. *Be it further enacted,* That each regiment shall have one adjutant, and 1 quartermaster, each of whom shall be selected by the colonel from the first lieutenants of the regiment if practicable, and that one major will be elected for each organized battalion in the regiment, and that no regiment be organized with less than six companies.

Sec. 3. *Be it further enacted*, That all enlistments hereafter in the National Guards, State of Tennessee, will be for three years, *Provided*, that an enlisted man may be discharged by the commander-in-chief for reason, on the application of the company, and approved by the intermediate commanders.

Sec. 4. *Be it further enacted*, That captains of companies shall be elected for three years instead of two, as is now established by law.

Sec. 5. *Be it further enacted*, That service in the National Guard shall be accepted in lieu of all road duty, poll tax, and jury duty, while actually in the military service of the State.

Sec. 6. *Be it further enacted*, That the staff of the commander-in-chief shall consist as follows:

One (1) adjutant general, and chief of staff, with the rank of brigadier general.

One (1) inspector general, with the rank of brigadier general.

One (1) quartermaster and commissary general, with the rank of brigadier general.

One (1) judge advocate general, with the rank of brigadier general.

One (1) surgeon general, with the rank of brigadier general.

One (1) Assistant adjutant general, with the rank of colonel; twenty (20) aides, with the rank of colonel.

Sec. 7. *Be it further enacted*, That the staff of brigadier commander shall consist of:

One (1) assistant adjutant general, and chief of staff with the rank of major.

One (1) assistant inspector general, with the rank of major.

One (1) assistant quartermaster and commissary general, with the rank of major.

One (1) judge advocate, with the rank of major.

One (1) assistant surgeon general, with the rank of major.

Two (2) aides, with the rank of captain.

Sec. 8. *Be it further enacted*, That the adjutant general shall give bond in the sum of five thousand dollars, which bond is to be approved by the commander-in-chief and Secretary of State, conditioned upon the safe keeping and protection of the military property in and under his charge; and that he shall duly invoice all property under his charge for which he is accountable to his successor, and take receipt for same, when turned over.

Sec. 9. *Be it further enacted*, That any officer, or en-

listment for
three years.

Exempt from
other duties.

Staff of Com-
mander in
chief.

Bond of Adju-
tant-general.

Breach of dis-
cipline.

listed man, who shall in time of peace wilfully breach the discipline or infringe any of the rules and regulations prescribed for the National Guard of this State, shall be guilty of a misdemeanor, and indictable and punishable therefor, in the courts of criminal jurisdiction, by a fine of not less than \$10.00, and imprisonment at the discretion of the court.

Retired list.

See. 10. *Be it further enacted*, That all commissioned officers of the National Guard who have served honorably for six years as an officer and enlisted man, shall upon their own application, be placed on a list to be known as the retired list, and be kept at the adjutant general's office, and they shall be entitled to wear the uniform of the highest rank attained by them while in the service upon all public occasions and ceremonies; and all officers who have served honorably, and by reason of age or infirmity have become unfit for service, may, upon the order of the commander-in-chief, be placed upon said retired list and enjoy the benefit thereof.

Pay and subsistence.

Sec. 11. *Be it further enacted*, That whenever called into active service or duty for the State the commissioned officers and enlisted men of the same shall receive, if ordered out for one month or less, as follows (including uniforms as issued by the State, medical attendance, arms, equipments, and one ration per day each) the following pay:

Brigadier generals, four dollars per day; Colonels, three dollars and fifty cents per day; Lieutenant-colonels, majors, and captains, three dollars per day; Lieutenants, two dollars per day; non-commissioned staff officers and first sergeants, one dollar per day; sergeants and corporals, eighty cents per day; privates, fifty cents per day.

Sec. 12. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Sec. 13. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 113.

[HOUSE BILL NO. 97.]

AN ACT to repeal Section 15 of an act passed January 25, 1871, and approved January 28, 1871, being Chapter 65 of the Acts of 1870-'71, entitled "An act better to secure the rights of tobacco planters and of the tobacco trade, and to prevent fraud in the inspection and sale of tobacco, and to simplify the tobacco inspection laws; and also to repeal Section 5 of an act amendatory of said act, approved March 4, 1889, being Chapter 192 of the Acts of 1889, entitled "An act to amend an act entitled an act better to secure the rights of tobacco planters and of the tobacco trade, and to prevent fraud in the inspection and sale of tobacco, and to simplify the tobacco inspection laws," passed January 25 and approved January 28, 1871, being Chapter 65 of the Acts of 1870-'71.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 15 of the Act first mentioned in the caption of this Act, being Chapter 65 of the Acts of 1870-71, is hereby repealed; and that Section 5 of said amendatory Act mentioned in the caption hereof, being Chapter 192 of the Acts of 1889, is also hereby repealed. *Acts repealed.*

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 114.

[HOUSE BILL NO. 320]

AN ACT to make it a misdemeanor to dispose of property that is under a landlord's lien for rent, as provided in Sections 4280 and 4281 of Milliken & Vertrees' compilation of the laws of this State, or that is under a furnisher's lien, as provided in Sections 4284 and 4285 of said compilation of laws, with the purpose of depriving the owner of any such indebtedness of the same or its proceeds, and to punish the same.

Misdemeanor
to dispose of
property un-
der lien.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That if the maker, grower, or producer, or any other person, shall dispose of any crop or property that is under a landlord's lien for rent, as provided in Sections 4280 and 4281 of Milliken and Vertrees' Compilation of the laws of this State, or that is under a furnisher's lien, as provided in Sections 4284 and 4285 of said compilation of laws, with the purpose of depriving the owners of any such indebtedness of the same or its proceeds, such person so disposing of such property shall be guilty of a misdemeanor, whether the party so offending had custody of the property at the time or not.

Sec. 2. *Be it further enacted,* That nothing in this Act shall interfere with the prosecution of offenses heretofore committed under any statute of this State, and offenses heretofore committed shall be punished under existing laws.

Not liable,
when.

Sec. 3. *Be it further enacted,* That if the person so disposing of the property shall pay over to the owners of said debt so secured the proceeds of said sale, or sufficient thereof to satisfy said lien, or in case the owner of said debt shall have received from the purchaser of said property the value thereof, as provided in Sections 4283 and 4284 of said compilation of laws, then if the said party so disposing of such property shall pay back to said purchaser said proceeds of sale, and all cost of the prosecution accrued, and all before he is arraigned for trial, then he shall not be held liable under this Act.

Passed April 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 115.

[SENATE BILL No. 309.]

AN ACT to amend Section 84 of Milliken & Vertrees' compilation of laws of Tennessee.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 84 of Milliken and Vertrees' Compilation of the laws of Tennessee be amended as follows: Strike out the words "twelve districts" and insert the words "thirteen districts."

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 116.

[SENATE BILL NO. 83.]

AN ACT to permit incorporated companies chartered under the Act entitled "An act to provide for the organizations of corporations," passed March 19, 1875, approved March 23, 1875, or under any Acts amendatory or subsequent thereto, to amend their charters in the manner provided by law for amending charters of incorporations granted by the Legislature, and to legalize and declare valid amendments to charters made under the Act of 1883, since the repeal of that act by the Act of 1893.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the stockholders of any corporation, organized under a charter obtained under the provisions of the Act entitled "An Act to provide for the organization of corporations," passed March 19, 1875, approved March 23, 1875, and being Chapter 142 of the Acts of 1875, or organized under a charter obtained under any Act amendatory to said Act or sub-

Corporation
charters, how
amended.

sequent thereto, who may desire to change the name of such corporation, increase its capital stock, or obtain any power granted either by said Chapter 142 of the Acts of 1875, or by any Act amendatory or subsequent thereto, shall have the right to do so under and in the manner provided by Section 19 of said Chapter 142 of the Acts of 1875, which provides for the amendment of charters granted by the Legislature, and with the like effect as therein provided; *Provided*, that this Act shall in no way apply to or affect corporations where suits have already been brought to declare their charters void, and shall have no effect on any kind of litigation or suits now pending against such corporations, for any purpose. "All amendments to charters under the Act passed March 23, approved March 27, 1883, being Chapter 163 of said Acts, procured since the repeal of said Act of 1883, by the Act passed March 3, 1893, approved April 7, 1893, being Chapter 146, of said Acts of 1893, be, and the same are hereby, legalized and declared valid."

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 5, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 117.

[HOUSE BILL No. 98.]

AN ACT defining lobbying, making the same a felony and providing for the punishment of the same.

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That lobbying be, and is hereby defined to be, any personal solicitation of any member of the General Assembly of this State, during a session thereof, by private interview, letter, message, or other means or appliance, not addressed solely to the judgment, to favor or oppose or to vote for or against, any bill, resolution, report, or claim, for the purpose of procuring the passage or defeat thereof. Provided, however, that the foregoing definition does not include the presentation of petitions or memorials, or any address made before a committee of either House, or joint committee of both Houses, of the General Assembly.

Sec. 2. Be it further enacted, That hereafter lobbying, as defined in Section 1 of this Act, shall be a felony; and that any person convicted thereof shall be confined in the penitentiary not less than two, nor more than five years.

Sec. 3. Be it further enacted, That it shall be the duty of judges of the courts having criminal jurisdiction in this State to give this Act specially in charge to the grand juries at each term of the court.

Sec. 4. Be it further enacted, That it shall be the duty of the grand juries to send for witnesses in all cases, when they have good reason to believe the provisions of this Act have been violated; and, upon satisfactory evidence, to make presentment without a prosecutor.

Sec. 5. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 4, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 118.

[HOUSE BILL NO. 37.]

AN ACT to amend Chapter 142 of the Acts of 1875, entitled "An Act to provide for the organization of enterprises."

Form of charter of skating rinks, etc. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 142 of the Acts of 1875 be amended so that the form of the charter of a skating rink, cycloidal railway, and companies erecting structures and plants designed for entertainment, diversion, pleasure, and amusement, shall be as follows:

STATE OF TENNESSEE.

Charter of Incorporation.

Be it known, That (here insert the names of five or more persons, not under twenty-one years of age) are hereby constituted a body politic and corporate by the name of (here insert the name of the corporation). The general powers of said corporation are (here insert the general powers, as in section 5). The said corporation shall have the right to build and construct all such houses and structures, and, if a cycloidal railway, to lay such tracks and rails, and use and operate by steam or other motive power all such trams, cars and other vehicles and rolling stock, as the business of the *Cycloidal railway.* corporation may require. If the corporation is a cycloidal railway, its powers are expressly limited to the building and operation of a cycloidal railway, and shall, by no implication or construction, be extended to the construction, ownership and use of a street railroad or commercial railroad. The rate of fare to be charged by corporations owning and operating a cycloidal railway shall be uniform, and shall not exceed 25 cents for one trip for each person. No corporation chartered hereunder shall have the right to take or condemn private property; but shall acquire the same, to the extent that it may be needed, by gift or by purchase.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved January 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 119.

[SENATE BILL NO. 494.]

AN ACT to regulate the admission of the colored insane into three State Hospitals for the Insane, and to provide for the removal of the colored insane now in the Central Hospital sent from the Eastern Hospital district, and the colored insane sent from the Western Hospital district to the Eastern and Western Hospitals for the Insane.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That after June the 4th, 1897, that all the colored insane of the Central Hospital district be sent to the Central Hospital to the number of one for each 1,800 of the population of the counties of the Central Hospital district, as shown by the Census of 1890; *Provided,* that such number does not exceed seventy-five.

Colored insane
Central Hos-
pital.

Sec. 2. *Be it further enacted,* That after the date mentioned in Section 1 of this Act that all the colored insane of the Eastern Hospital district be sent to Eastern Hospital to the number of one for each 1,800 of the population of the counties composing the Eastern Hospital district; *Provided,* that such number does not exceed seventy-five.

Eastern Hos-
pital.

Sec. 3. *Be it further enacted,* That after June the 4th, 1897, that all the colored insane of the Western Hospital district be sent to the Western Hospital to the number of one for each 1,800 of the population of the counties composing the Western Hospital district.

Western Hos-
pital.

Sec. 4. *Be it further enacted,* That upon notification by the Superintendent of the Eastern Hospital for the Insane, and the Superintendent of the Western Hospital for the Insane, that the county court clerks of the counties composing the Eastern and Western Hospitals for the Insane districts be required to remove the colored insane then at the Central Hospital belonging to their respective counties to the Eastern and Western Hospitals for the Insane respectively, and expenses of said removal be charged to the respective counties.

Removal from
Central Hos-
pital.

Sec. 5. *Be it further enacted,* That no county in the Eastern or Western Hospitals for the Insane districts shall be entitled to the admission of their colored insane either into the Eastern or Western Hospitals until it shall have complied with the requirement in Section 4 of this Act.

Sec. 6. *Be it further enacted*, That the number of indigent insane for the Western Hospital be increased from 375 to 500, and that the number of indigent insane for the Eastern Hospital be increased from 275 to 450.

Sec. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 30, 1897.

JOHN THOMPSON,

Speaker of the Senate,

MORGAN C. FITZPATRICK,

Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,

Governor,

Approved April 30, 1897.

CHAPTER 120

AN ACT to amend an Act entitled "An Act for the more efficient management of the State Prison," passed December 11, 1871, approved December 16, 1871, and to abolish the office of State Superintendent of Prisons.

Superintendent of prisons abolished.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act for the more efficient management of the State Prison, passed December 11th, 1871, and approved December 16th, 1871, be so amended as to abolish the office of State Superintendent of Prisons.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 30, 1897.

MORGAN C. FITZPATRICK,

Speaker of the House of Representatives,

JOHN THOMPSON,

Speaker of the Senate.

I certify that this bill was delivered to the Governor more than five days prior to this date.

REAU E. FOLK,

Clerk of the House,

April 30, 1897.

1891 RATTLED

1891 RATTLED

AN ACT to amend and supplement the laws of Tennessee relating to the trial of criminal cases in the State of Tennessee, and to provide for the trial of criminal cases in the State of Tennessee [HOUSE BILL No. 246.]

AN ACT to permit a defendant to plead to the merits in any suit where a plea in abatement has been overruled, and to permit a plea in bar to be filed at same time of filing plea in abatement, and provide how the issues are to be tried.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That a defendant has the right, upon the overruling of a plea in abatement, for any cause filed by him to any action, to plead to the merits, and rely upon any defenses as if said plea had not been interposed.

Sec. 2. *Be it further enacted,* That a defendant can, in any suit, plead both in abatement, and in bar, at the same time, and that said plea in bar is no waiver of the plea in abatement, and when so pleaded, both pleas shall be heard at the same time and judgment rendered on each plea.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1897.
MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,

Approved April 29, 1897.

ROBERT L. TAYLOR,
Governor.

ROBERT L. TAYLOR
Governor

CHAPTER 122.

[HOUSE BILL NO. 704.]

AN ACT to amend an act entitled "An act to provide for the creation and organization and defining powers of municipal corporations, embracing territories of cities having a population of 36,000 and upwards, according to the Federal Census of 1880, whose charters have been abolished," being Chapter 114 of the acts of the General Assembly of the State of Tennessee for 1883, so as to provide for the submission to the citizens of such cities of propositions to subscribe for stock in a railroad company or companies, or other public enterprises.

Chapter 114,
Acts of 1883
amended.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 114 of the Acts of the General Assembly of the State of Tennessee for the year 1883 entitled, "An Act to provide for the creation and organization and defining the powers of municipal corporations embracing territories of cities having a population of 36,000 and upwards, according to the Federal Census of 1880, whose charters have been abolished," be amended so as to provide that the Mayor and city council of such cities may submit at any regular or special election to the legal voters of such cities propositions to subscribe for the stock of any railroad company or companies or other public enterprises. Such proposition must be carried by a three-fourths vote of the legal voters voting at said election.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 123.

[SENATE BILL NO. 444.]

AN ACT to provide for the inspection, analysis and tests of commercial fertilizers, the disposition of the fees resulting therefrom, the appointment of inspectors and chemists, and penalties for the violation of this act, and to repeal Chapter 173 of the acts of the General Assembly of the State of Tennessee of 1883, entitled "An act to provide for the inspection, analysis and test of commercial fertilizers," Chapter 266 of the acts of the General Assembly of the State of Tennessee of 1889, entitled "An act to amend an act entitled, 'An act to provide for the inspection, analysis and tests of commercial fertilizers,'" passed March 24, 1883, and approved March 29, 1883, and Chapter 178 of the acts of the General Assembly of the State of Tennessee of 1891, entitled "An act to amend an act entitled, 'An act to provide for the inspection, analysis and tests of commercial fertilizers,'" passed April 5, 1889, and approved April 8, 1889, being chapter 266 of the acts of 1889.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 173 of the Acts of 1883, of the General Assembly of the State of Tennessee, entitled, "An Act to provide for the inspection, analysis, and test of commercial fertilizers;" Chapter 266 of the Acts of 1889 of the General Assembly of the State of Tennessee, entitled, "An Act to amend an Act, entitled, An Act to provide for the inspection, analysis, and test of commercial fertilizers," passed March 24, 1883, and approved March 29, 1883; and Chapter 178 of the Acts of 1891, of the General Assembly of the State of Tennessee, entitled, "An Act to amend an Act, entitled, An Act to provide for the inspection, analysis, and tests of commercial fertilizers, passed April 5, 1889, and approved April 8, 1889, being Chapter 266 of the Acts of 1889," be, and the same are hereby, repealed.

Sec. 2. *Be it further enacted,* That all commercial fertilizers sold or offered for sale in this State shall, by stamp or otherwise, distinctly set forth on each package or parcel the chemical analysis of such fertilizers, the name of the manufacturer, the place of manufacture, and each of said packages or parcels shall be freely submitted to inspection, as hereinafter provided, and shall bear a certificate of inspection, or tag fur-

what stamp
shall show.

Standard of fertilizers.

nished by the Commissioner of Agriculture, and showing authority from the State to sell such fertilizers.

Sec. 3. *Be it further enacted*, That none of said fertilizers shall be sold in this State, unless their analysis shall show a given per cent. of ammonia, potash, and available phosphoric acid, said given per cent. to be prescribed by the Commissioner of Agriculture.

Analysis and inspection fee

Sec. 4. *Be it further enacted*, That before selling or offering for sale any commercial fertilizer, its manufacturer, dealer or agent, shall file with the Commissioner of Agriculture a guaranteed analysis of each brand of commercial fertilizers, thus sold, or offered for sale in this State. On all such fertilizers sold, or offered for sale, in this State, an inspection fee of fifty (50) cents per ton, or fraction of a ton, shall be paid to the Commissioner of Agriculture by the manufacturer, dealer, or agent thereof. The sum accruing from said fees shall be applied first to the expenses of inspection, including an amount of not more than eight hundred (\$800.00) dollars per annum for analysis, the balance to become a part of the general fund annually provided by the State for the maintenance of the Bureau of Agriculture. The said Commissioner of Agriculture shall keep a separate account of all fees received for the inspection of fertilizers, and the expenses of said inspection.

Commissioner to make rules and appoint inspectors.

Sec. 5. *Be it further enacted*, That the Commissioner of Agriculture shall have power to make such rules and regulations as are necessary to carry into effect the purpose of this Act. He shall also have power to appoint, not exceeding three, inspectors at points most convenient to the parties requiring their services. Said inspectors shall hold office at the pleasure of the said commissioner.

Bonds of inspectors.

Sec. 6. *Be it further enacted*, That each of said inspectors, before entering office, shall give bond and security in the sum of two thousand (\$2,000) dollars for the faithful discharge of duty. They shall inspect promptly all fertilizers reported to them, taking samples from goods found on the open market, and doing other work connected with the inspection of fertilizers; for such service they shall receive a salary, to be fixed by the said commissioner at a sum not exceeding one thousand (\$1,000.00) dollars per annum.

Salary.
Commissioner to make rules and appoint inspectors.

Sec. 7. *Be it further enacted*, That all specimens of fertilizers, collected by said inspectors, shall be sent to a competent chemist to be selected by the said commissioner, who shall analyze said specimens without delay, and report the result of said analysis within fifteen

(15) days from their receipt, to the Commissioner of Agriculture. Said chemist shall act under oath to deal fairly and impartially in the premises, and the official certificate of analysis shall be competent evidence in the courts of this State.

See. 8. Be it further enacted, That the Commissioner of Agriculture shall make a report to the Governor at each biennial session of the General Assembly of all work done under this Act, and especially as to the number of analyses made; the amount of inspection fees collected, the cost of inspection, and the further use and disposition of the fees collected by him.

Biennial re-
port to the
Governor.

Sec. 9. Be it further enacted, That the provisions of this Act shall not apply to homemade manures.

Sec. 10. Be it further enacted, That any person, or persons, firm or corporation selling or offering for sale any commercial fertilizers in this State, without having complied with the provisions of this Act, shall be guilty of a misdemeanor, and, upon conviction, shall be fined two hundred (\$200.00) dollars for each offense; and it shall be the duty of the commissioner or any inspector, to seize the fertilizers of said person or persons, firm or corporation thus failing to comply, and store the same at a point convenient to the place of seizure, and immediately give notice to its owner, or owners, or their agents, if known, of such action, and if such owner or owners, or their agents, fail or refuse to comply with this Act within thirty (30) days after said notification, the commissioner is empowered to sell or have sold said fertilizers, and to apply the proceeds first to the payment of the fees, fines and storage, and shall hold the residue, if any, subject to the order of the owner.

Violations of
this act, pen-
alty for.

Sec. 11. Be it further enacted, That all of said tags, purchased for the sale of said fertilizers, shall be attached to the package containing the fertilizer before the same enters the State. No railroad, express company, steamboat, or other common carrier, corporation or person shall deliver to the consignees any shipment or consignment of fertilizers, unless the same has attached to it the tags required by this Act. Any railroad, express company, steamboat, or other common carrier, corporation or person, receiving any shipment or consignment of fertilizers to be delivered in this State, that has not these tags attached to it, shall at once notify the Commissioner of Agriculture of the reception of each shipment or consignment, and shall hold all such shipments or consignments until the requirements of the law have been com-

Tags to be
attached.

Duty of com-
mon carriers.

Penalty.

plied with, and in the event said shipper or consignee shall fail or refuse to comply with said requirement of the law, their said shipment shall be returned to him at his expense. Any railroad, express company, steamboat, or other common carrier, corporation, or person violating this section, shall be guilty of a misdemeanor, and, on conviction thereof, shall pay a fine of not less than \$100.00, and not more than \$500.00.

See. 12. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 124.

[HOUSE BILL NO. 1.]

AN ACT to provide for and regulate the salaries of Clerk sand Masters, Clerks of the various County, Circuit, Special and Criminal courts, County Trustees, Registers, Sheriffs and Clerks of the Supreme Court; to provide for the disposition of the fees of their offices; to provide salaries for said offices and for the payment thereof; to regulate the number and provide for the appointment, removal and compensation of the deputies of said officers; to regulate the duties of said officers; to make violation of certain provisions of this act a felony and provide punishment therefor; and to otherwise regulate the rights, duties and liabilities of said officers.

Deprivation of
fees and com-
pensation by
salary.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the clerks and masters of the various chancery courts, clerks of the various circuit, county, special and criminal courts, county trustees, registers of deeds, sheriffs and supreme court clerks for the State, shall be deprived of all their fees,

commissions, emoluments and perquisites that shall hereafter accrue or be received by virtue of their respective offices; and they shall be compensated for their duties by a fixed salary alone, payable as hereinafter set forth, which shall be in lieu of all other compensation; *Provided*, That nothing in this Act shall be taken to apply or refer to any fees, commissions, perquisites, or emoluments in which said officers shall have a vested right at the time this Act shall go into effect.

Sec. 2. *Be it further enacted*, That the county trustees, registers of deeds, sheriffs, clerks and masters of the various chancery courts and clerks of the various circuit, county, special, and criminal courts, shall be paid an annual salary out of the fees received by them, payable in monthly installments at the end of each month, out of the county treasury, upon warrants of the county judge or chairman of the county court, as the case may be; *Provided*, that in counties having a population of ninety thousand (90,000) and over, the clerk and master, the county trustee and the county court clerk shall each receive a salary of four thousand dollars per annum; the sheriff a salary of four thousand dollars per annum; the clerks of the circuit, criminal, and special courts each a salary of thirty-five hundred dollars per annum, and the register, a salary of three thousand dollars per annum; and in counties having a population of fifty thousand (50,000) and under ninety thousand (90,000), the clerk and master and the county court clerk shall each receive a salary of four thousand dollars per annum; the sheriff and county trustee, clerks of the circuit, criminal, and special courts, shall each receive a salary of two thousand five hundred dollars per annum; and the register of deeds shall receive a salary of two thousand dollars per annum; and in counties having a population under fifty thousand (50,000) and over twenty thousand (20,000), the clerk and master, the county trustee, the sheriff, and the county court clerk shall, each receive a salary of eighteen hundred dollars per annum: the clerks of circuit, criminal, and special courts, each a salary of fifteen hundred dollars per annum; and the register a salary of one thousand dollars per annum; and in counties having a population under twenty thousand (20,000) the clerk and master, the county court clerk, the county trustee, and the sheriff, shall each receive a salary of one thousand dollars per annum; and the circuit and criminal court clerks and the register a salary of eight hundred (800) dollars per annum; *Provided*,

Salary out of fees.

that where by law one person is clerk of two different courts, such clerk shall receive no more compensation than if he were clerk of one court; *Provided*, further, that upon the sworn itemized statement of said officers, made to the county judge or chairman of the county court, for the amount and cost of stationery and books necessarily purchased by them for the transaction of the business of their several offices, the county judge or chairman of the county court shall draw his warrant for the payment of said amount; *Provided*, further, that said sworn itemized statement shall be made monthly, at the time said officers shall render an account of the amount of fees, commissions, perquisites, and emoluments of their offices, as hereinafter provided; and shall state that said stationery and books were necessary to the transaction of the business of their office, and were bought at the usual and customary price of such articles.

Supreme Court Clerks. Sec. 3. *Be it further enacted*, That the clerks of the supreme court shall each receive a salary of twenty-five hundred dollars (\$2,500) per annum, payable at the end of each quarter of the year out of the State Treasury upon the warrant of the State Comptroller; *Provided*, that upon the sworn itemized statement of the said clerks of the supreme court, made to the State Comptroller, of the amount and cost of the stationery and books necessarily purchased by them for the transaction of the business of their several offices, the said comptroller shall draw a warrant for the payment of said amount; *Provided*, further, that said sworn itemized statement shall be made quarterly, at the time said officer shall render an account of the fees, commissions, perquisites and emoluments of their offices, as hereinafter provided; and shall state that said stationery and books were necessary to the transaction of the business of their offices, and were bought at the usual and customary price of said articles.

Fees, how disposed of. Sec. 4. *Be it further enacted*, That all the fees, commissions, perquisites, and emoluments, no matter whether said sums arise from fees, commissions, perquisites or emoluments or order or direction of court, or for pay for special services as trustee, receiver or otherwise, that are now or may be hereafter receivable directly or indirectly, by virtue of their offices, by the county trustees, registers of deeds, sheriffs, clerks and masters of the various chancery courts and clerks of the various special, county, circuit and criminal courts, shall be, and the same are hereby declared to be, the property of the respective counties wherein the same

are collected; and the same shall be charged and taxed, for the said counties according to the then existing schedule of fees and commissions, and they shall be paid by the several officers into the treasury of the county, as hereinafter provided.

Sec. 5. Be it further enacted, That all the fees, commissions, perquisites and emoluments that are, now or may be hereafter, receivable by the clerks of the supreme court, by virtue of their official position, no matter whether said sum arises from fees, commissions, perquisites, or emoluments, or order or direction of court, or for pay for services as special commissioner, trustee, receiver, or otherwise, shall be, and the same are hereby declared to be, the property of the State, and shall be charged and taxed for the State according to the then existing schedule of fees and commissions, and shall be paid into the State Treasury, as hereinafter set forth.

Sec. 6. Be it further enacted, That every officer ^{employed} ^{in or for the} ^{State} ^{mens under} ^{oath.} enumerated in the fourth section of this Act shall make, under oath, and file with the county judge or chairman of the county court, on the first Monday of each month, a true exhibit, containing an itemized statement of all fees, commissions, perquisites, and emoluments received by him or any of his deputies, by virtue of his office, during the preceding month, no matter whether the said sum arises from fees, commissions, perquisites, emoluments, or order or direction of court, or for pay for services as special commissioner, trustee, receiver, or otherwise; and he shall, at the time of making such exhibits, pay into the county treasury all of the amounts shown by said exhibits to have been collected during the preceding month; *Provided*, that in no case shall the total amount received by any of the said officers during his term of office from the county in payment of his own salary, and the salaries of his deputies or assistants, and the costs of stationery and books furnished him, exceed the amount that had been paid by him into the county treasury, as above provided; nor shall any officer at any time during his term of office have been allowed for his own salary, the salaries of his deputies, and costs of stationery and books, an amount in excess of the fees received by him and paid, as above, into the treasury up to that time; *Provided*, further, that if in any month the total amount of fees, commissions, perquisites, and emoluments received by any of said officers do not equal the total amount allowed him under this Act, the amount of said deficiency shall be allowed him out of any excess received

Salaries not to
exceed pay-
ments into
the treasury.

or collected by him during any preceding or succeeding month or months of his term; but for no longer time; *Provided*, that in all cases where the fees of the officer referred to in this Act do not exceed the amount of salary allowed each and his deputies as herein provided, the county court of such county shall appropriate and pay out of the treasury of the county to the officer who has purchased stationery and books for use in his office an amount sufficient to repay him for the amount which he has so paid out and makes oath to as herein provided; *Provided*, that if any officer, enumerated in Section 2 of this Act, shall fail to realize from the fees of his office, during any year of his term, the amount allowed by this Act as his salary, and the salary of his deputies, he shall have the same made up out of fees earned by him, which may be collected by his successor.

Supreme Court
Clerk to re-
port quarterly
under oath.

Sec. 7. *Be it further enacted*, That the clerks of the supreme court shall make, under oath, and file with the comptroller of the State, on the first Mondays in April, July, October and January, a true exhibit, containing an itemized statement of all the fees, commissions, perquisites or emoluments accrued by order or direction of court or for services, as special commissioner, trustee or otherwise; *Provided*, that the clerks of the supreme court shall, at the time of making such exhibit, pay into the State Treasury all of the amounts shown by said exhibit to have been collected during the preceding quarter; *Provided*, further, that in no case shall any supreme court clerk receive for any year for his own salary, or the salary of his deputies or assistants and for the expenses of his office, an amount in excess of the sum paid by him into the State Treasury, as above provided for in said year; *Provided*, further, that if in any quarter the total amount of fees, commissions, perquisites, and emoluments received by any of said officers do not equal the total amount allowed him under this Act, the amount of said deficiency shall be allowed him out of any excess received or collected by him during any preceding or subsequent quarter of the year, but for no longer time.

Officers may
appoint depu-
ties, when.

Sec. 8. *Be it further enacted*, That whenever, in the opinion of the county trustee, register of deeds, sheriff, clerk and master of the chancery court, clerks of the various circuit, county, special, and criminal courts, the duties devolving upon their office are more than they can perform by devoting their entire time and attention thereto, they may appoint one or more deputies, or assistants as the exigencies of the case may require; *Provided*, that in each county, at its preceding quarterly

term, the county court shall fix the number of deputies and their salary allowed for each officer enumerated in this section; *Provided*, further, that for counties containing a population of ninety thousand (90,000) and over the county court shall not allow for any office a greater number of deputies with a greater salary than as follows: For clerks and masters, six deputies each, at a salary not to exceed one hundred and fifty dollars, one hundred and twenty-five dollars, one hundred dollars, seventy-five dollars, seventy-five dollars, and fifty dollars per month, respectively; for county court clerks, five deputies, at a salary not to exceed one hundred and twenty-five dollars, one hundred dollars, seventy-five dollars, seventy-five dollars, and fifty dollars per month, respectively; for criminal special, and circuit court clerks, three deputies each, at a salary not to exceed one hundred and twenty-five dollars, one hundred dollars, and seventy-five dollars per month, respectively; for registers of deeds, four deputies, at a salary not to exceed one hundred dollars, seventy-five dollars, seventy-five dollars, and fifty dollars per month, respectively; and for county trustee, four deputies, at a salary not to exceed one hundred and twenty-five dollars, one hundred dollars, seventy-five dollars, and fifty dollars, respectively, per month. In counties containing a population under fifty thousand (50,000) the county court shall not allow for any office a greater number of deputies with a greater salary than as follows: For county court clerks, criminal and circuit court clerks, county trustees, register of deeds, and clerks and masters, one deputy each, at a salary not to exceed fifty dollars per month; *Provided*, that for the office of sheriff said county court may provide for as many deputies as the exigencies or necessity of the county may require, whose salaries shall not exceed one hundred dollars per month for one, seventy-five dollars per month each for three more and fifty dollars per month for each one over four, and they shall be paid out of the surplus fees collected in said office; *Provided*, that in counties having a population of under fifty thousand, the salaries of said deputies shall not exceed fifty dollars per month; *Provided*, that the sheriff shall be allowed the necessary expense of maintaining the prisoners in the county jail, which said expense shall be paid as the expenses of other officers are, and out of the amounts allowed him for maintaining said prisoners, as now provided by law; *Provided*, further, that all the deputies provided for in this section shall be paid monthly out of the treasury of the several counties, at the time and

Maximum
number of
deputies al-
lowed and
salaries.

in the manner provided for the payment of the several county officers: *Provided*, that the respective officials, except sheriff, herein named, shall have authority whenever in his judgment it shall be necessary, to employ additional help, sufficient to perform the clerical work of his office for which he is authorized to pay forty cents per thousand words, and where copying consists of figures, four figures shall constitute a word; *Provided*, that registers and clerks and masters shall make oath before the Chancellor of the division in which their respective offices are located, and the circuit and criminal court clerks shall make oath before the judge of the criminal or circuit court of which he is clerk; and trustees and county court clerks shall make oath before the judge or chairman of the county courts, that said extra work is necessary, and the same shall be approved by such judge, Chancellor or chairman, before such officer shall be authorized to employ the same; and the clerks of the supreme court shall make a like oath and receive like authority before and from the chief justice of said supreme court.

Supreme Court
deputy.

Sec. 9. *Be it further enacted*, That whenever, in the opinion of the judges of the supreme court, the duties devolving upon their respective clerks are more than they can perform by devoting their entire time and attention thereto, they may authorize such clerks to appoint not more than one deputy at the rate of not more than seventy-five dollars per month, to be paid, like the supreme court clerks, out of the State Treasury, and in like manner; *Provided*, that any of the said deputies or assistants may be removed whenever, in the opinion of the judges of the supreme court, their services can be dispensed with.

Bond of of-
ficers.

Sec. 10. *Be it further enacted*, That the county trustees, registers of deeds, sheriffs, clerks and masters, and clerks of the various circuit, county, special, and criminal courts of each county shall give a bond to the county, to be approved by the county judge or chairman of said county court, both as to amount and solvency, to properly collect and duly account as herein required to the county for the fees, costs, emoluments, perquisites, and commissions that have been received by them by virtue of their respective offices.

Bond of Su-
preme Court
clerks.

Sec. 11. *Be it further enacted*, That the clerks of the supreme court shall give a bond to the State, to be approved by the supreme court, both as to amount and solvency, conditioned to properly collect and duly account, as herein required, to the State for the fees, costs, emoluments, perquisites, and commissions that have

been received by them, or should have been received by them, by virtue of their offices.

Sec. 12. *Be it further enacted*, That any officer enumerated in this Act who shall wilfully evade the letter or spirit of the Act by failing to make said exhibits or report, or conspiring with any person or persons in any manner to make a false or incorrect report, shall be deemed guilty of a felony; and for such offense, on conviction, shall be fined not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000), and shall be imprisoned in the State penitentiary not less than one nor more than five years; *Provided*, that nothing in this section shall be interpreted to prevent a recovery by civil suit to recover the amount of shortage in any officer's account from his bondsmen, or so as to modify or repeal any criminal laws relating to State and county officers.

Sec. 13. *Be it further enacted*, That the enumeration of the population under this bill shall be governed by the next preceding Federal Census.

Sec. 14. *Be it further enacted*, That each and every one of the officers enumerated in this Act, before being allowed any deputies, assistants for their respective offices, shall take and subscribe to the following oath: "I (here state name and office) do solemnly swear that I am unable to alone, or with my present force of deputies, by working eight hours a day, to do the business of my office. It is necessary, to the accommodation of those who have business with my office, to increase my force by deputies. [Here state facts as distinguished from conclusions, showing the necessity for such deputies.]"

Sec. 15. *Be it further enacted*, That all of the officers enumerated in this Act shall keep a well bound book in which there shall be entered and preserved a record of each and every fee, emolument, compensation, or perquisite provided for in this bill.

Sec. 16. *Be it further enacted*, That this Act shall take effect from and after the first Monday in September, 1898.

Passed March 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved May 1, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 125.

[HOUSE BILL NO. 665]

AN ACT to provide a more efficient and economical management of the State Penitentiary, to define the duties and fix the compensation of certain offices connected therewith, and to repeal all laws in conflict with this act.

Commissioners of Penitentiary.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter the officers for the government and control of the Tennessee State Penitentiary shall be a Board of Commissioners, composed of three (3) citizens of the State, who are men of recognized integrity and good business capacity, and thoroughly competent and skilled for the duties herein imposed; one to be appointed from each grand division of the State.

Wardens.

Sec. 2. *Be it further enacted,* That there shall be for the main and each branch prison a warden, whose duty it shall be to keep all the books of said main or branch prison, and to keep a full and complete record of all convicts confined in said main or branch prison, and who shall make requisitions upon the Board of Prison Commissioners for all necessary food, clothing, etc., for the convicts.

Matron.

Sec. 3. *Be it further enacted,* That there shall be a matron for the main prison, whose duty it shall be to look after the morals, good conduct, comfort, moral and religious training of the female convicts.

Physician.

Sec. 4. *Be it further enacted,* That for the main and each branch prison there shall be a physician, whose duty it shall be to look after the general sanitary condition of the prison, and to visit and prescribe medicine for the convicts when they are sick, and see that each convict when they are sick has proper treatment and proper hospital accommodations.

Chaplain.

Sec. 5. *Be it further enacted,* That there shall be a chaplain for the main and each branch prison, whose duty it shall be to instruct the convicts religiously. It shall be the duty of said chaplain to see that there are religious services at the prison chapel each Sunday morning and afternoon.

Governor to appoint officers.

Sec. 6. *Be it further enacted,* That the Governor of the State shall, and he is hereby authorized and empowered to appoint the commissioners, wardens, physi-

cians, chaplains and matrons; *Provided*, that these appointments shall take effect on the expiration of the term of the present officials, all of whom except the commissioners shall hold office under said appointment for a term of two years and until their successors are appointed and qualified; but the commissioners shall be appointed at first, one for two years, one for three years, and one for four years, and at the expiration of their said respective terms, the commissioners then appointed shall always be for a term of four years.

Sec. 7. *Be it further enacted*, That before entering upon the discharge of his official duties, each member of said Board of Prison Commissioners shall execute a bond in the sum of thirty thousand dollars (\$30,000), with two or more good and solvent sureties, payable to the State of Tennessee, and conditioned to vigilantly, honestly, faithfully, promptly, and impartially discharge all the duties imposed by law upon said commissioners, and to promptly and honestly account to the State for all money coming into the hands of said commissioners, and to do and perform all other acts that should be performed by said Board of Commissioners. No member of said Board of Prison Commissioners shall be taken as surety on the bond of any other member of said board, nor shall any surety on the bond of any member be taken as surety on the bond of any other member. Said bond to be approved by the Governor and filed with the Secretary of State; *Provided*, that this restriction as to securities shall apply to bonds on which individual or personal security is given, and shall not prohibit any solvent guarantee company that may have complied with the laws of the State from becoming security on any or all of said bonds, subject to the approval of the Governor of the State as before provided.

Sec. 8. *Be it further enacted*, That each of said prison commissioners shall, before entering upon the discharge of his official duty, take and subscribe to the following oath, to be administered by the Governor and attested by the Secretary of State, to-wit: "I do solemnly swear (or affirm) that I will fully, faithfully, honestly, diligently and impartially perform all the duties imposed upon me as a member of the Board of Prison Commissioners; that I will honestly account to the State of Tennessee for all sums of money coming into my hands as a member of said Board of Prison Commissioners; that I will execute the laws and regulations prescribed for the government of the prison so far as concerns my office; and that I will on no occasion ill treat or abuse

Bond of com-missioners.

Oath of com-missioners.

any convict under my control beyond the punishment ordered by law or the rules and regulations of the institution, so help me God," which oath shall be filed with the Secretary of State, and any violation of said oath by any of said commissioners shall be perjury, punishable as other cases of perjury.

**Board of Commissioners,
how organized.**

Sec. 9. *Be it further enacted,* That it shall be the duty of said Board of Prison Commissioners, as soon as practicable after their appointment, to meet and organize by electing one of their members chairman, who shall be known as the Chairman of the Board of Prison Commissioners, whose duty it shall be to preside over all meetings of said board, and to audit or approve all orders or warrants given for any purpose upon the State Treasury; and the comptroller shall not issue his warrant for any amount unless it has been approved by said Chairman of the Board of Prison Commissioners. They shall also elect one of their members secretary, whose duty it shall be to keep a full, correct, and complete record of all the acts and doings of said board, and who shall also approve all orders or warrants drawn upon the State Treasury. A majority of said board shall constitute a quorum for the transaction of business.

**Duties of
chairman.**

Sec. 10. *Be it further enacted,* That it shall be the duty of the Chairman of said Board of Prison Commissioners to look after the health, maintenance, conduct, welfare, treatment, and condition of convicts in the main or any branch prison in the State, and do and perform all duties and acts now performed by the Superintendent of Prisons. Said chairman, in connection with the other members of said Board of Prison Commissioners, shall have power to prescribe rules and regulations for the management of the convicts, and the chairman shall see that said rules and regulations for the management of the prison shall be enforced.

Farming operations.

Sec. 11. *Be it further enacted,* That it shall be the duty of one of the members of said Board of Prison Commissioners to specially superintend and manage all farming operations conducted by the State, and to approve all contracts for the sale of farm products, and all contracts for the purchase of farming implements, and for the purchase or sale of any and all live stock, and do all things and perform all acts that are necessary to the successful and economical management of said farming operations. Said contracts to be also approved by a majority of said Board of Prison Commissioners.

Sec. 12. *Be it further enacted*, That it shall be the ^{Mining operations.} duty of one of the members of said Board of Prison Commissioners to specially superintend and supervise all of the State's mining operations, and approve all contracts in connection therewith for the sale of any of the mine products, either coal or coke, and all contracts for the purchase of any and all necessary supplies of every character, all of said contracts to be also approved by a majority of said Board of Prison Commissioners.

Sec. 13. *Be it further enacted*, That it shall be the duty of each member of said Board of Prison Commissioners to devote his entire time and attention to the discharge of the duties herein imposed, except such time as may be required and necessary to devote in meetings of said Board of Prison Commissioners. ^{Entire time of commissioners to be devoted to their duties.}

Sec. 14. *Be it further enacted*, That the Board of Prison Commissioners shall have a room in the administration building of the new penitentiary appropriated to their use, where a majority of them shall meet monthly, and as much oftener as may be deemed necessary, by the chairman or a majority of the board, for the transaction of such business as must be transacted by said board as a board. ^{Official meetings of board.}

Sec. 15. *Be it further enacted*, That it shall be the duty of said Board of Prison Commissioners to make quarterly statements under oath to the Governor, showing the entire business transactions of the entire management of the State penitentiary during said quarter; showing the entire amount received from all sources, and the entire amount expended for all purposes, for the quarter ending for which the report is made; and said commissioners shall, on the 1st day of January of each year, submit to the Governor an annual report, showing their entire transactions for the preceding year in full and in detail, showing the transactions of each department of the penitentiary, as far as possible, separate, so it can be seen which, if any, branch or department of the prison does not pay expenses; said annual report to show the profits or losses to the State on account of the maintenance of convicts, etc. ^{Quarterly statements under oath.}

Sec. 16. *Be it further enacted*, That it shall be the duty of said Board of Prison Commissioners to make to the Treasurer of the State monthly statements showing the entire amount received by them from all sources during the month for which the report is made, said report to be sworn to by the Chairman of the Board of Prison Commissioners, and accompanied with amount shown by said report to have been received ^{Monthly statements to the Treasurer.}

during the month from sale of coal, coke, farm products, live stock, or any other source; and if said board shall, for any month, fail to make said report, it shall be the duty of the treasurer to report this fact to the Governor, who shall cause the commissioners to show why said report was not made.

Monthly reports of officers to chairman.

Sec. 17. *Be it further enacted*, That it shall be the duty of the Chairman of said Board of Prison Commissioners to require of the member of said board whose duty it is to look after and supervise the mining operations, to make to him under oath a monthly report, showing the general status of the mining operations, together with the receipts for the month for which the report is made. He shall also require a report monthly from the physician, showing the general health and sanitary condition of the prison, the number of inmates who have been sick for the month for which the report is made, and the disease of each; also number of deaths during month, and cause. He shall also require a monthly report from the warden of the main and each branch prison, showing the number of convicts under his control, the number whose terms have expired and their names, the number that have been confined during the month for which the report is made; also the number of convicts punished during the month, extent and mode of punishment, and cause of punishment; also the number of escapes, if any, together with the cause of the escape, and the names of such convicts that have escaped. He shall also report the number recaptured each month and the expense of recapturing.

Pay of commissioners.

Sec. 18. *Be it further enacted*, That each of said commissioners shall receive as compensation for his services, the sum of twenty-five hundred dollars per annum, which shall include expenses, payable quarterly out of the State Treasury upon the warrant of the comptroller.

Salaries of wardens, physicians, chaplains, and matrons.

Sec. 19. *Be it further enacted*, That the warden for the main prison shall receive a salary of twelve hundred dollars per annum. The salary of the warden at any branch prison shall not exceed one thousand dollars per annum. The salary of the physician at the main prison shall be one thousand dollars per annum, and he shall be required to keep his office at the new penitentiary and devote his time and attention to the treatment of the convicts and to looking after the general health and the general sanitary condition of the prison. The salary of the physician at any branch prison shall not exceed six hundred dollars per annum. The salary of the chaplain of the main prison shall be five hundred dollars per annum, and the salary of the chap-

lain at any branch prison shall not exceed two hundred and fifty dollars per annum. The salary of the matron shall be three hundred dollars per annum.

Sec. 20. *Be it further enacted*, That it shall be the duty of said Board of Prison Commissioners, and they are hereby authorized and empowered to appoint as many guards as may be necessary for the proper management of the convicts, whose salaries shall be for each the sum of forty dollars per month. The Board of Prison Commissioners shall also have power and authority, with the advice of the Governor, to appoint such other clerical or other assistance as they may deem necessary to the proper and efficient management of the penitentiary of the State, and the commissioners and Governor shall fix the salaries of such assistants.

Guards and
clerical assis-
tance.

Sec. 21. *Be it further enacted*, That it shall be the duty of the Governor of the State, and he is hereby authorized and empowered, to overlook and in a general way supervise and inspect all the acts and doings of any commissioner, warden, physician, guard, or any other officer, employee, agent or servant connected with the management of the State prison; and he shall have the power, whenever in his judgment it is proper, and good cause shall exist, to remove from office any one or more of the commissioners, or any other officer, agent, employee or servant connected with the management of the penitentiary, and have the vacancy thus made filled as provided in this Act.

Governor to
have general
supervision.

Sec. 22. *Be it further enacted*, That all vacancies occurring in said Board of Prison Commissioners from death or any other cause shall be filled by appointment from the Governor.

To fill vacan-
cies.

Sec. 23. *Be it further enacted*, That it shall be the duty of any member of the Board of Prison Commissioners to report to the Governor forthwith all violations of law, or omissions or neglect of duty by the warden, physician, matron, or other officers or employees about the penitentiary.

Commission-
ers to report
violations of
law, etc.

Sec. 24. *Be it further enacted*, That it shall be the duty of the Chairman of the Board of Prison Commissioners to have the warden to keep a correct register of the conduct of each convict, to be termed "good time account," in which he shall faithfully record the exact conduct of each convict, and each convict who shall demean himself uprightly shall have deducted from the time for which he may have been sentenced: One (1) month for the first year, two (2) months for the second year, three (3) months for each subsequent year until the tenth year, inclusive, and four (4) months

"Good time
account."

for each remaining year of the time of imprisonment; *Provided*, the reduction of time herein provided for shall be upon the consideration of continued good conduct, and such record shall be evidence for or against the convict in any of the courts of this State.

**Oath of officers
and employees.**

Sec. 25. *Be it further enacted*, That it shall be the duty of the Chairman of the Board of Prison Commissioners to require all guards, wardens, physicians, matrons, or other employees of the penitentiary to take and subscribe to the following oath, before entering upon the discharge of their duties, to-wit:

I,, do solemnly swear that I will honestly, faithfully and earnestly discharge all of the duties imposed upon me by law as at the State prison; that I will not, during the continuance of my term of office, take or receive any fee, compensation or reward from any convict or other person connected with the prison management, except the compensation allowed me as an officer of the State prison; that I will not abuse or ill treat any convict under my control, and that I will not, for any fee, compensation or reward, either directly or indirectly, allow any convict under my control to escape during my term of office.

Perjury.

Sec. 26. *Be it further enacted*, That any wilfull violation of this oath shall be perjury, and punishable as other cases of perjury.

**Punishment of
convicts.**

Sec. 27. *Be it further enacted*, That the warden shall administer all punishment to convicts, which shall never be done without a thorough investigation of the charge made against the convict and approved by one or more of the prison commissioners, and in no event shall the punishment be cruel or inhumane.

**Female con-
victs.**

Sec. 28. *Be it further enacted*, That it shall be a misdemeanor for any of the officers connected with the prison management to hire or let any female convict to any person on the outside as cook, washerwoman, or for any other purpose.

**Sales of coal,
regulations
for.**

Sec. 29. *Be it further enacted*, That it shall be the duty of the Board of Prison Commissioners where it can be done at such price per bushel or ton, as will give the State of Tennessee a fair price for the labor of its convicts and a just compensation for its coal or coke, to sell the entire output of the State mines, either coal or coke, on board of cars at the mines to some responsible person, persons, firm, firms, company or corporation for such a period of time, not to exceed six years, as will best subserve the interest of the State. Said commissioners shall require a good and solvent bond of any person taking contract or contracts for

the entire output of said State mines; but nothing in this Act shall be construed so as to prevent said prison commissioners from operating said mines as they are now doing in the event a satisfactory contract for said entire output cannot be had, and upon the same time, if necessary, for large contracts for sale of coal or coke, as provided for the sale of entire output. The contract or contracts for the entire output of said mines not to be effective until approved by the Governor of the State and Attorney General for the State; *Provided*, nothing contained in any contract made by the prison commissioners, shall prevent said commissioners from furnishing the State institutions coal or coke direct from the mines at actual cost for putting coal and coke on board the cars.

Sec. 30. *Be it further enacted*, That the Board of Prison Commissioners shall be required to furnish all the coal and coke required by the State institutions, and that all State institutions using coal or coke or either, shall be required to use only coal and coke furnished by the State mines; *Provided*, that the prison commissioners can furnish the coal and coke delivered at the institution or institutions at the same cost to the institution or institutions as if bought in the general market.

To furnish
coal and coke
to State institu-
tions.

Sec. 31. *Be it further enacted*, That the Board of Prison Commissioners, as a temporary means for the employment of the more able bodied shorter time convicts, not otherwise employed or that cannot be employed within the walls or on the farm, shall be permitted, and it is their duty to establish branch prisons and contract with any person, firm, corporation or county or municipal authorities for building public roads, pikes, clearing ground, farming operations, where competing the least with free or skilled labor; *Provided*, in all cases that the convicts shall remain in the custody, control and be guarded and maintained by the prison commissioners and only the labor contracted. And, *Provided*, further, that any contract of more than 90 days' duration shall be approved by the Governor, Secretary of State and Attorney General. And, *Provided*, further, that the prison commissioners shall fix the compensation of the warden, physician, chaplain, etc., at such branch prison, but in no event to exceed the amounts set out in Section 19; *Provided*, there shall be nothing in this bill to prevent the commissioners from continuing the lease to the T. C. I. R. R. Co. to work convicts in the Inman ore mines in Marion County.

Commission-
ers to estab-
lish branch
prisons and
contract labor
of convicts.

Sec. 32. *Be it further enacted*, That all laws or parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 126.

[SENATE BILL NO. 474.]

AN ACT to govern and regulate the business of building and loan associations and to amend Chapter 114 of the acts of 1895, approved May 6, 1895, entitled "An act to provide for the inspection of building and loan associations doing business in the State of Tennessee.

Acts of 1895
amended.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 2 of Chapter 114 of the Acts of 1895, approved May 6, 1895, be amended so as to read as follows: That the name of "Building and Loan Association," used in this Act, shall include all corporations, societies, organizations, or associations doing business in the State under a building and loan charter, or engaged in a building and loan business, or engaged in seeking investments from citizens of the State by selling forms of stock, debentures, certificates, etc., on plans similar to building and loan associations, but which need not necessarily be mutual.

Reports of
building and
loan associa-
tions.

Sec. 2. *Be it further enacted*, That Section 2, Chapter 114, of the Acts of 1895, approved May 6, 1895, be amended so as to read as follows: That on or before the first day of August in each year every building and loan association doing business in this State and governed

by this Act, shall file with the Treasurer of the State a detailed report of its affairs and operations for the year ending the 30th of June, immediately preceding, and such report shall be verified under oath by the president and secretary or by three directors of the association, and such report shall show in detail the assets, liabilities, income, and expenditures of the association and such other matters of information as the Treasurer of the State may deem it necessary to require, and shall also file copies of its by-laws and published literature, which shall be free from ambiguity and not misleading in its nature.

Sec. 3. *Be it further enacted*, That there shall be added to Section 5 of said Act, and become a part thereof, the following, to-wit: In case any stockholder or stockholders in any association governed by this Act shall believe or have cause to believe that said association is insolvent or is conducting its business contrary to law, its charter and by-laws, he or they shall file with the State Treasurer a petition stating the facts as may be within his knowledge touching the insolvency or improper and unlawful conduct of said association and asking for an examination by said treasurer of the affairs of said association, and such stockholder or stockholders shall not begin any suit or proceeding in any court against such association for the purpose of winding up the affairs of said association, or the appointment of a receiver, until he or they shall have filed said petition and the treasurer shall have had a reasonable time to investigate the books and affairs of said association, and make a report thereon; *Provided*, that the treasurer shall not be required to make such an examination asked, until said shareholder or shareholders shall have first filed with said treasurer a bond to be approved by him conditioned that if such examination shall disclose that such association is solvent and is not conducting its business contrary to law, its charter and by-laws, that such shareholder or shareholders will pay cost and expenses of such examination, and when such bond has been filed by said shareholder or shareholders the said treasurer shall cause an examination of the books, assets and affairs of said association complained of to be examined. In case such examination shall disclose that said association is insolvent, or that its affairs are conducted in violation of the law, or its charter and by-laws, the State Treasurer shall proceed as hereinbefore directed in this section.

Legal proceedings, how commenced.

Sec. 4. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 127.

[SENATE BILL NO. 384.]

AN ACT to govern and regulate the business of life and casualty insurance, on the assessment plan, and to repeal all laws or parts of laws in conflict with this act.

Life and casualty corporations must be licensed.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall not be lawful for any corporation transacting the business of life and casualty insurance on the assessment plan, whether organized under the laws of this State or of some other State or foreign country, to transact such business in this State, until it has first complied with the provisions of this Act, and obtained a license from the insurance commissioner; *Provided*, however, that nothing herein contained shall be construed as applicable to organizations which conduct their business as fraternal societies on the lodge plan, with representative form of government, or to purely fraternal orders or associations which limit their certificate holders to a particular fraternity or avocation, and which do not employ paid agents to solicit business.

Assessment insurance defined.

Sec. 2. *Be it further enacted*, That any corporation organized to insure lives which provides for the payment of policy claims, the accumulation of reserve or emergency funds, and the expenses of the management and prosecution of the business by payments to

be made either at periods named in the contract, or upon assessments as required by persons holding similar contracts, and wherein the insured's liability to contribute to the payment of policy claims, accrued or to accrue, is not limited to a fixed sum shall be deemed to be engaged in the business of life insurance on the assessment plan. Any corporation organized to insure against the contingency of death or other physical disability of the assured thereunder, resulting from accidental injury, and which provides for the payment of policy claims, the accumulation of reserve or emergency funds, and the expenses of the management and prosecution of the business by payments to be made either at periods named in the contract, or upon assessments as required by persons holding similar contracts, and wherein the insured's liability to contribute to the payment of benefits, accrued or to accrue, is not limited to a fixed sum, shall be deemed to be engaged in the business of casualty or accident insurance on the assessment plan.

Sec. 3. *Be it further enacted,* That any corporation organized under the laws of this State for the purpose of transacting the business of life or accident insurance on the assessment plan, shall, before commencing the transaction of business, file with the insurance commissioner a properly certified copy of its charter, shall satisfy the insurance commissioner by such evidence as he sees fit to make and require, that it has secured applications for not less than \$400,000.00 insurance by not less than three hundred persons, and that two per centum, if a life corporation, and one per centum if an accident corporation, of the insurance applied for has been deposited in bank to the credit of the mortuary guarantee, or disability fund of the corporation, and a copy of the policy or certificate it proposes to issue, with application and by-laws, which must show that the insured's liability to contribute to the payment of benefits is not limited to the payment of a fixed periodical sum. Upon a compliance with the provisions of this section and other part of this Act applicable thereto, it shall be the duty of the insurance commissioner to issue to such corporation a license, which shall extend to the end of the calendar year, and be subject to renewal from year to year upon compliance with the provisions prescribed in this Act.

Sec. 4. *Be it further enacted,* That any corporation organized under authority of another State or government to issue, or which is engaged in the business of issuing policies or certificates of life or accident in-

Conditions upon which license shall issue to State corporations.

Conditions of license to foreign corporations.

surance on the assessment plan, as a condition precedent to the transaction of business in this State, shall deposit with the insurance commissioner a certified copy of its charter or articles of incorporation, a statement, under oath, of its president and secretary, in the form by the insurance commissioner required, of its business for the preceding year; a certificate under oath of its president and secretary, that it is paying, and for the twelve months then next preceding, has paid the maximum amounts named in its policies or certificate in full, a certificate from the proper authority of its home State that corporations of this State engaged according to the provisions of this Act in life or accident insurance on the assessment plan are legally entitled to do business in such State, a copy of its policy or certificate, with application and by-laws, which must show that the insured's liability to contribute to the payment of benefits is not limited to the payment of a fixed periodical sum; evidence satisfactory to the insurance commissioner that the corporation accumulates a reserve or emergency fund of equal amount to that required of similar corporations of this State, that such accumulation is permitted by law, and is for the benefit of policy and certificate holders only, and is invested in acceptable securities. Upon a compliance with the provisions of this section and other parts of this Act applicable thereto, it shall be the duty of the insurance commissioner to issue to such corporation a license which shall extend to the end of the calendar year, and be subject to renewal from year to year upon compliance with the provisions prescribed in this Act.

**Insurance
Commissioner
to be attorney
for corpora-
tions outside
of State.**

See. 5. *Be it further enacted*, That every corporation organized under the laws of another State or foreign country, and transacting the business of life or accident insurance on the assessment plan, shall, before doing business in this State, appoint in writing, the insurance commissioner or successor in office, to be its true and lawful attorney, upon whom all process in any action or proceeding against it may be served, and in such writing, shall agree that any lawful process against it which is served on said attorney, shall be of the same legal force and validity as if served on the corporation, and that the authority shall continue in force so long as any liability remains outstanding against the corporation in this State. Service upon such attorney shall be deemed sufficient service upon the principal; when legal process against any such corporation is served upon the insurance commissioner he shall immediately

notify the corporation of such service, by registered letter.

Sec. 6. *Be it further enacted*, That every corporation transacting the business of life insurance on the assessment plan, and doing business under the provisions of this Act, shall accumulate and maintain a reserve or emergency fund equal to such sum as might be realized from one assessment on, or periodical payment by policy, or certificate holders thereof, and in no event less than the amount of its maximum policy or certificate. In case such funds or any portion thereof, shall have been used by the corporation for the purpose or purposes for which the same was created or accumulated, and the amount thereof reduced to less than the amount of one death assessment or periodical payment, the amount of such reduction below the amount of one death assessment, or periodical payment, the amount of such reduction below the amount of one death assessment, shall be made up and restored to such fund within six months thereafter; such fund may be held in cash, or invested in the same class of securities required by law for the investment of funds by insurance corporations, and nothing herein contained shall prevent the accumulation of other funds in excess of the amount herein required, to provide for the purposes of such corporation. If such fund is in excess of the amount of one death assessment or periodical payment by all policy or certificate holders, and not less than the sum of \$50,000, the excess of any portion thereof, may be used in the reduction of assessments or periodical payments by certificates or policy holders by ratable cash dividends or credits, or in such other equitable division or appointment thereof as the rules or contracts of the corporation may provide. Corporations organized under the laws of this State at the time of the passage of this Act may have six months from the date hereof in which to accumulate the reserve or emergency fund herein required, and corporations hereafter organized under the laws of this State, may have six months from the date of organization in which to accumulate such funds.

Reserve or
emergency
fund.

Sec. 7. *Be it further enacted*, That every corporation transacting the business of accident insurance on the assessment plan, and doing business under the provisions of this Act, shall accumulate and maintain a reserve or emergency fund of at least \$5,000.00, and every such corporation shall add to such emergency fund thereafter two and one half per cent. of the amount realized from every premium assessment, or

Reserve fund
of accident
insurance
corporations.

periodical call until such fund shall be equal to the amount of two dollars for every \$5,000.00 of insurance in force; such emergency fund or any part thereof may be used for the payment of death and indemnity claims; *Provided*, that if the amount of such funds be thereby reduced below the amount contemplated by this Act, the amount by which such fund is reduced be made up and restored within six months thereafter; such fund may be held in cash or invested in the same class of securities required by law for the investment of funds by insurance corporations, and nothing herein contained shall prevent the creation and accumulation of other funds in excess of the amount herein required to provide for the purposes of such corporation. Corporations organized under the laws of this State at the time of the passage of this Act may have six months from the date hereof, in which to accumulate such reserve or emergency fund, and corporations hereafter organized under the laws of this State, may have six months from the date of organization in which to accumulate such funds.

Conditions of policies.

See. 8. *Be it further enacted*, That no corporation transacting the business of life insurance on the assessment plan, under the provisions of this Act, shall issue a certificate or policy upon the life of any person less than fifteen or more than sixty-five years of age, excepting in case of transfer of policy holders, as provided herein, nor upon a life in which the beneficiary named has no insurable interest, nor as an endowment to any insured person while living, and every call for payments by the policy or certificate holders, shall distinctly state the purposes of the same, nor shall any such corporation make or permit any distinction or discrimination between insureds of the same class and equal expectation of life in the amount of premium payments or assessments for policies or certificates of life insurance, or in the dividends or other benefits payable thereon. Any assignment of a policy or certificate to a person having no insurable interest in the insured's life, shall render such policy or certificate void.

Same.

Sec. 9. *Be it further enacted*, That every policy or certificate hereafter issued by any corporation doing business under the provisions of this Act, and promising payment to be made upon a contingency of death or physical disability, shall specify the sum of money which it promises to pay under such contingency, and the number of days after satisfactory proof of the happening thereof on which such payment shall be made. Upon the occurrence of such contingency unless the

contract shall have been voided by fraud, or by breach of its conditions, the corporation shall be obligated to the beneficiary for such payment at the time and to the amount specified in the policy or certificate. If such corporation shall refuse or fail to make such payment after final judgment has been obtained upon such claim, the insurance commissioner shall notify the corporation not to issue any new policies or certificates until such indebtedness is fully paid, and no officer or agent of the corporation shall make, sign, or issue any policy or certificate of insurance while such notice is in force.

Sec. 10. *Be it further enacted,* That no corporation organized under the laws of this State and doing business under the provisions of this Act shall transfer its risks to, or reinsure them in any other corporation, unless the contract of transfer or reinsurance is first submitted to, and approved by a two-thirds vote of the meeting of the insured, called to consider the same, of which meeting a written or printed notice shall be mailed to each member, certificate or policy holder, at least thirty days before the day fixed for such meeting. If such transfer or reinsurance shall be approved, every member, certificate or policy holder of the corporation who shall file with the secretary thereof, within ten days after the meeting, a written notice of his preference to be transferred to some other corporation than that named in the contract, shall be accorded all the rights and privileges, if any, in aid of such transfer as would have been accorded under the terms of such contract had he been transferred to the corporation named therein. No such corporation organized under the laws of this State shall transfer its risks or assets, or any part thereof, to, or reinsure its risks or any part thereof, in any insurance corporation of any other State or county which is not, at the time of such transfer or reinsurance, authorized to do business in this State under the laws thereof. Nothing herein contained shall prevent the officers of any corporation from reinsuring a portion of individual risks in other corporations authorized to transact business in the State.

Sec. 11. *Be it further enacted,* That every corporation doing business under the provisions of this Act shall, on or before the first day of February in each year, make and file with the insurance commissioner, a report of its affairs and operations during the year ending on the 31st day of December, immediately preceding, which report shall be in such form and verified by such officers as the insurance commissioner may require; *Provided*, that the insurance commissioner may,

Transfers of
risks, condi-
tions of.

Annual re-
ports required

for good cause shown, extend the time for filing such report to a date not later than March 1st. The insurance commissioner shall cause an abstract of such report to be published in his annual report. Any corporation refusing or neglecting to make such report, or to make payment of any of the fees required by law, shall, upon the order of the insurance commissioner, cease to do business in this State until such report and payment be made, and until it shall have, in addition, paid a penalty of \$25.00 for each day neglected.

Certificates of agency. Sec. 12. *Be it further enacted,* That every corporation transacting business under the provisions of this Act, shall obtain from the insurance commissioner a certificate of authority for each agent writing or soliciting insurance for it in this State, which certificate shall show that such corporation has complied with the provisions of this Act, and such certificate, unless sooner revoked, shall expire with the end of each calendar year, and be renewed within thirty days thereafter. Any corporation that shall neglect or fail to make application for certificates of authority for its agents or any one of its agents, and any agent who shall transact any business for such corporation without first receiving the certificate herein required, shall be liable to a fine of \$100.00.

State corporations subject to inspection. Sec. 13. *Be it further enacted,* That all corporations organized under the laws of this State to which this Act is applicable, with their books, papers, and vouchers, shall be subject to visitation and inspection by the insurance commissioner or such person as he may designate. The insurance commissioner may address any inquiries to such corporation in relation to its doings or condition or any other matter connected with its transactions relative to the business contemplated by this Act. All officers of such corporation shall promptly reply in writing to all such inquiries under oath of its president, secretary or other officers, if required. When the insurance commissioner, on investigation, shall be satisfied that any corporation organized under the laws of this State and doing business under the provisions of this Act is insolvent because of matured death claims or other obligations due and unpaid exceeding its assets and death assessments or periodical payments called or in process of collection, or has exceeded its powers, failed to comply with any provision of law, or is not carrying out its contracts with members in good faith, he shall report the facts to the Attorney General of the State, who, if he shall be

Insolvent corporations, how proceeded against. of the opinion that the facts require such action, may

thereupon apply to any court having jurisdiction thereof for an order requiring the officers of such corporation to show cause within a reasonable time why such corporation should not be restrained from continuing to transact business. Such court may, in its discretion, appoint agents or receivers to take charge of the effects and wind up the business of the corporation, subject to such rules and orders as the court may from time to time prescribe, according to the course of proceedings in equity, or the court may, if it deems that the best interests of the corporation will be served thereby, decree a removal from office of the officers or any number thereof and substitute suitable persons to serve until the regular annual election, or until a successor is regularly chosen.

Sec. 14. *Be it further enacted,* That all corporations organized under the laws of another State or country, and doing business under the provisions of this Act, with their books, papers, and vouchers, shall be subject to visitation and inspection by the insurance commissioner or such person as he may designate. The insurance commissioner may address any inquiries to such corporation in relation to its doings or condition, or any other matter connected with its transactions relative to the business contemplated by this Act. All officers of such corporation shall promptly reply to such inquiries under oath of its president, secretary or other officers if required. When the insurance commissioner shall be satisfied, on investigation, that any corporation organized under the laws of another State or country, and doing business under the provisions of this Act, is insolvent because of matured death claims or other obligations due and unpaid exceeding its assets, and death assessments or periodical payments called or in process of collection, or has exceeded its powers, failed to comply with any provision of law, or is not carrying out its contract with members in good faith, he may revoke the authority of such corporation to do business in this State, and cause a notice thereof to be published in one or more newspapers of general circulation; and thereafter such corporation shall cease to transact any new business in this State, while such revocation is in force; *Provided*, however, that unless the grounds for revocation relate to the insolvency of the corporation, he shall give it ten days' notice, as to such revocation specifying wherein such corporation has failed to comply with any provision of law, or has exceeded its powers, or is not carrying out its contract with members in good faith.

Foreign corporations subject to inspection.

Fees.

Sec. 15. *Be it further enacted*, That the insurance commissioner shall collect and pay into the treasury the following fees: For each corporation filing preliminary papers and receiving license, \$25.00; for each corporation's annual statement, \$15.00; for each certificate to an agent or renewal thereof, \$2.00. The necessary expenses of any visitation or examination made under the provisions of this Act, shall be paid by the corporation visited or examined, and in no case shall the insurance commissioner or his deputy be paid more than actual expenses.

Misdemeanor
to transact
businesswith-
out authority.

Sec. 16. *Be it further enacted*, That any officer of a corporation subject to the provisions of this Act, and any person or agent representing such corporation who shall transact, or attempt to transact in any manner whatever, any business in this State until such corporation has complied with the provisions of this Act, shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not less than two hundred dollars (\$200.00), or imprisoned not more than sixty [days], or both, in the discretion of the court.

Tax.

Sec. 17. *Be it further enacted*, That every corporation transacting business under the provisions of this Act, shall, in addition to the requirements contained herein, pay such tax as may be assessed or levied against such corporation by any law of this State.

Sec. 18. *Be it further enacted*, That the business of assessment, life, or accident insurance, as provided for and permitted by this Act, shall only be carried on by duly organized corporations.

Repeal of con-
flicting laws.

Sec. 19. *Be it further enacted*, That Chapter 179 of the Acts of 1887 entitled, "An Act to amend the law establishing a bureau of insurance, and to regulate the business of mutual or assessment insurance in the State of Tennessee," and all other laws or parts of laws in conflict with the provisions of this Act, be and the same are hereby repealed.

Sec. 20. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 3, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 128.

[SENATE BILL NO. 392.]

AN ACT to amend the act to provide for the organization of corporations, passed March 19, 1875.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 142 of the Acts of 1875 entitled, An Act to provide for the organization of corporations, approved March 23, 1875, be, and the same is hereby amended, so as to embrace companies to enrich and to save gas in its use, and to increase its candle power and heat units by a means of a patented apparatus, appliance, and process used for that purpose, and to manufacture the apparatus and appliances for the same.

Sec. 2. *Be it further enacted,* That the charter for ^{Form of char-} any such company shall be as follows:

Be it known, That (here insert the names of five or more persons above the age of twenty-one years) are hereby constituted a body politic and corporate, by the name and style (here insert the name of the corporation), for the purpose of selling, renting, or manufacturing or of selling and renting the right to manufacture to persons, firms, or corporations, a patented apparatus, appliances and process to save and to enrich gas in its use, and to increase its candle power and heat units by means of such apparatus, appliances, and process patented under the laws of the United States, known as the American Gas Enricher and Governor," or any other processes or means which have, or may be devised for that purpose. The general powers of said corporation are (here insert the powers as contained in Section (5) five of the Act of 1875, Chapter 142).

Sec. 3. *Be it further enacted,* That all companies of the character designated in this Act, shall be declared legal corporations; and it shall be lawful for such companies now or hereafter incorporated to consolidate into one corporation, or partially consolidate or co-operate in such manner as the respective corporations may determine, with the concurrence of the stockholders of each, in full meeting assembled.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 129.

[SENATE BILL NO. 570.]

AN ACT to amend the act passed March 15, 1883, entitled, "A bill to settle the amount of the public debt of the State and fix the rate of interest thereon, provide for the funding thereof and the compensation of the officers of the State therefor," it being Chapter 84 of the Acts of 1883.

Amendment.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the said Act in the caption mentioned, passed March 15, 1883, approved March 20, 1883, and being Chapter 84 of the Acts of 1883 of the Forty-third General Assembly of the State of Tennessee, be and it is hereby so amended as to provide that the \$335,666.66 of Tennessee bonds held by the United States as owner and custodian of the Indian Trust Fund, consisting of \$165,000.00 of 5 per cent. bonds, \$66,666 2-3 of 5½ per cent. bonds, and \$104,000, 6 per cent. bonds, be and the same are hereby excepted out of the provisions of said funding Act, and none of said bonds or coupons, by whomsoever presented, shall be paid or funded until the unadjusted claims in controversy between the United States and the State of Tennessee, mentioned and referred to in House Joint Resolution No. 25 of the Forty-ninth General As-

sembly of Tennessee (Acts 1895, p. 498), shall have been finally adjusted and settled, and then only in accordance with the terms of such settlement, as may be made by an act or resolution by the General Assembly.

Passed April 9, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 130.

[HOUSE BILL NO. 515.]

AN ACT to amend the act passed May 13, 1895, and approved May 14, 1895, entitled "An act to govern and regulate the business of mutual or assessment and fire insurance companies organized or incorporated under the laws of this State," so as to authorize and empower companies so organized or incorporated to extend and do business to and within contiguous counties.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That companies organized or incorporated under the laws of this State and operated under and according to the provisions of this Act passed May 13th, 1895, and approved May 14, 1895, and entitled, An Act to govern and regulate the business of mutual or assessment and fire insurance companies organized or incorporated under the laws of this State, be and the same are hereby authorized and empowered to extend their business to and operate in contiguous counties, and said Act is so far amended as to authorize and empower them to do so. Amendment.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,

Governor.

CHAPTER 131.

[HOUSE BILL NO. 701.]

AN ACT to amend an act passed April 24, 1895, approved April 2
1895, being Chapter 76 of the Acts of 1895, entitled "An act to
establish a Court of Chancery Appeals, to define its jurisdiction
and powers to regulate the appointment and election and fix
the salaries of the judges thereof; to prescribe the duties and fix
the compensation of the clerks and marshals thereof, and to
limit the jurisdiction of the Supreme Court in regard thereto."

Amendment.

Section 1. *Be it enacted by the General Assembly of
the State of Tennessee.* That Section 11 of the Act men-
tioned in the caption hereof, being Chapter 76 of the
Acts of 1895 (regular session), be and is hereby so
amended that hereafter no writ of error or appeal in
the nature of a writ of error, shall be taken to the
supreme court from any decree of the court of chancery
appeals after the expiration of ten days from the de-
cree of the court of chancery appeals.

Sec. 2. *Be it further enacted.* That this Act take ef-
fect on the first day of January, 1898.

Passed April 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR.
Governor.

CHAPTER 132.

[HOUSE BILL NO. 105.]

AN ACT to amend Section 2136 Chapter 5 of the Code of Tennessee (1858) relating to the redemption of land sold for debt.

Amendment.

Section 1. *Be it enacted by the General Assembly of
the State of Tennessee.* That Section 2136, Chapter 5
of the Code of Tennessee (1858) relating to the redemp-
tion of land sold for debt, be and the same is hereby
amended so as to insert after the words "to the clerk
of the circuit court of the county in which the land
lies," the words, "or in case the land is sold by the
judgment or decree of a court, then to the clerk of the
court from which the same is sold."

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 133.

[HOUSE BILL NO. 159.]

AN ACT to enable personal representatives of the estates of deceased persons to prosecute suits in favor of estates represented by them upon the pauper oath.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That any personal representative of the estate of any deceased person in this State, may commence and prosecute any action, in favor of the estate represented by him, in any of the courts of this State, without giving bond and security for costs, by taking and subscribing an oath that he, as such personal representative, has no property, belonging to the estate of the deceased, out of which to bear the expenses of said action, and that he verily believes that the estate, for the benefit of which the action is brought, is justly entitled to the redress sought; and in such case the personal representative shall not incur any personal liability on account of such action, unless the court trying the same should be of opinion and adjudge that the action was frivolous or malicious.

Section 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 9, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved February 10, 1897.

ROBT. L. TAYLOR,

Governor. Google

Personal rep-
resentative of
deceased per-
son may pros-
ecute action.

PRIVATE ACTS
OF THE
STATE OF TENNESSEE

PASSED BY THE

Fiftieth General Assembly.

1897.

PUBLISHED BY AUTHORITY.

NASHVILLE, TENN.:
FRANC. M. PAUL, PRINTER TO THE STATE.
1897.

PRIVATE ACTS
OF THE
GENERAL ASSEMBLY
OF THE
State of Tennessee.

Passed by the Fiftieth General Assembly, which was begun and held in the Capitol, at Nashville, on the first Monday in January, in the year of our Lord one thousand eight hundred and ninety-seven.

CHAPTER 134.

[HOUSE BILL NO. 332.]

AN ACT to exempt DeKalb County from the provisions of the fish law, as set forth in Chapter 127, Acts of 1895, so as to allow citizens of DeKalb County, Tennessee, to catch, kill or wound any fish of the streams, lakes, rivers or ponds of DeKalb County, Tennessee, by sein, trap, gun, grabbling with hands, gig, or in any way except the killing or wounding or destroying by means of poison or explosives.

Section 1. *Be it enacted by the General Assembly of* ^{Amendment.} *the State of Tennessee,* That Chapter 127, Acts of 1895, be so amended as to exempt "DeKalb County" from the operation of said Act of 1895, Chapter 127.

Sec. 2. *Be it further enacted,* That the citizens of DeKalb County from and after the passage of this Act be allowed to catch, kill or wound any fish in any of the streams, lakes, rivers or ponds of the county by sein, trap, gun, grabbing with the hands, gig or in any way by any connivance except by killing, wounding or destroying by means of poison or explosives.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved March 19, 1897.

ROBT. L. TAYLOR, Digitized by Google
Governor.

CHAPTER 135.

[SENATE BILL NO. 522.]

AN ACT to amend an act approved April 6, 1893, entitled "An act to incorporate the town of Brownsville, Tennessee, being Chapter 93 of the Acts of 1893, and to authorize and empower said town to issue \$12,500 in bonds for the purpose of erecting and furnishing, or assisting in erecting and furnishing, a public school building in said town, and to provide a sinking fund for the ultimate redemption of said bonds, and amended by Chapter 55 Acts of 1895, entitled "An act to amend the act approved April 6, 1893, entitled 'An act to incorporate the town of Brownsville, Tennessee, being Chapter 23, of the Acts of Tennessee of 1893, to authorize said town to issue bonds to purchase, extend, improve and operate waterworks plant in said town now known as the Brownsville Artesian Water Co., and to provide for the security and payment of said bonds, and to empower said town to establish and collect water rates and charge and disburse same.

Amendment to
act incorporating Brown-
ville.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee, That the Act approved April 6, 1893, entitled, "An Act to incorporate the town of Brownsville, Tennessee, being Chapter 93 of the Acts of Tennessee of 1893, and amended by said Chapter 55, Acts of 1895, be and the same is hereby amended as herein set out, and that so much and such parts of said Act and especially Section 24 of same as prevents or prohibits the Board of Mayor and Aldermen of said town from contracting or creating any indebtedness greater than they can pay after paying current expenses out of the tax levies under said Act, within one year after the indebtedness is contracted, and provides that said corporation shall have no power to issue any bonds, or other negotiable instruments for any purpose, be and the same is hereby amended and repealed so as to authorize and empower the issuance of bonds, and the contracting of the debt herein provided for, but not otherwise.*

Authorized to
issue bonds.

Sec. 2. *Be it further enacted, That the Board of Mayor and Aldermen of the town of Brownsville, Tennessee, Haywood County, be and they are hereby authorized and empowered to issue twelve thousand five hundred dollars in bonds for the purpose of erecting and furnishing, or assisting in the erection and*

furnishing of a building or buildings in said town, to be used as public school buildings, said bonds to be negotiable, interest bearing, and payable thirty years after date of issue, and shall bear such a rate of interest as may be agreed upon between the seller and the purchaser or purchasers, payable annually; *Provided*, that said interest rate does not exceed 6 per cent. per annum.

Sec. 3. *Be it further enacted*, That said bonds shall Bonds, how issued. be issued in such denominations as the Mayor and Aldermen shall fix, and that the Board of Mayor and Aldermen shall have the bonds, with coupons attached, lithographed or printed, and that said bonds and coupons shall be numbered consecutively, and that said bonds shall be signed by the Mayor and countersigned by the Recorder of said town, and that the seal of said town shall be attached or impressed upon said bonds; that the Board of Mayor and Aldermen of said town may sell and issue said bonds, but not for less than face or par value of same; *Provided*, however, that said bonds shall not be issued unless at an election to be first held, in which the qualified voters of said town shall be entitled to vote, the assent of three-fourths of the votes cast at such election shall be given thereto; that said election shall be ordered by the Board of Mayor and Aldermen of said town, and shall be held by the marshal of said town, assisted by two clerks and three judges to be appointed and selected by said marshal of said town from the legal, qualified voters of said town; said election to be advertised for twenty days by publication in some newspaper published in said town, or by printed handbills conspicuously posted in at least five public places in said town; that the officers holding such election, together with the judges and clerks holding same, shall certify the result of the election together with the poll list and tally sheets of the election, in writing, signed by them to the said Board of Mayor and Aldermen of said town, and same shall be filed by the Recorder of said town, and said Board of Mayor and Aldermen shall thereupon declare the results of said election; that in case the proposition to issue such bonds shall fail to carry by a three-fourths vote, the Board of Mayor and Aldermen of said town shall have the right to order another election to be held by the same officers, in the same way and upon the same number of days' notice, made from time to time as above set out, for said purpose; *Provided*, however, no two such elections shall be held within any consecutive thirty days; that said marshal, clerks and judges holding such elections shall Election.

be sworn and qualified according to the general laws of the State; that said vote shall be by ballot, and those voting in favor of the issuance of said bonds shall have printed or written upon their ballots "For the Bonds," and those voting against the issuance of the bonds shall have written or printed upon their ballots, "Against the Bonds;" that in case at any such election three-fourths of the votes cast shall be in favor of the issuance of said bonds, same shall be issued, otherwise, same shall not be issued.

**Bonds a valid
and binding
debt.**

Sec. 4. *Be it further enacted,* That upon the issuance of said bonds, in conformity with the foregoing sections, they shall be a valid and binding debt and obligation of the said municipal corporation, and that the Mayor and Aldermen of said town are hereby instructed to turn over money received by said Board of Mayor and Aldermen from the sale of said bonds to the Treasurer of the Board of School Commissioners of the public school district of Brownsville, who shall execute a bond in the sum of \$25,000.00, signed by himself, together with four or more sureties, and approved by said Board of Mayor and Aldermen of said town, and said \$12,500.00, nor any part thereof shall not be paid out by said treasurer, except upon the order of said Board of School Commissioners of the said Brownsville school district, in writing, signed by the security [Secretary?] and countersigned by the President of said Board of School Commissioners of said town.

Sinking fund. Sec. 5. *Be it further enacted,* That before the issuance of any bonds hereunder, the Board of Mayor and Aldermen of said town shall provide, by ordinance, for a sinking fund with which to retire said bonds at maturity, and to pay the interest on same annually, by setting aside a certain portion out of the sum total of all taxes collected each year by said Board of Mayor and Aldermen, to be designated as the Sinking Fund Tax for School Bonds, and to be sufficient, with its accumulations, as nearly as can be estimated, to meet the principal of said bonds at maturity, and pay the interest annually.

**Public School
Sinking Fund
Commissioners.**

Sec. 6. *Be it further enacted,* That said Board of Mayor and Aldermen of said town shall appoint three citizens of said town, not members of said Board of Mayor and Aldermen, who shall hold their office for two years, [or] until their successors shall be appointed or elected and qualified, to be so appointed or elected, that the first term of one shall be for one year, one for two years, and one for three years, and every year there-

after, one shall be appointed or elected for two years by said Board of Mayor and Aldermen, and designated as the "Public School Sinking Fund Commissioners."

Sec. 7. *Be it further enacted,* That said commissioners shall take an oath before some person authorized to administer oaths on judicial proceedings, faithfully to perform their duties, and shall give bond in such sums, and otherwise qualify themselves as the Board of Mayor and Aldermen of said town may provide.

Sec. 8. *Be it further enacted,* That said sinking fund commissioners shall receive such sinking fund tax as is apportioned annually by said Board of Mayor and Aldermen, as herein provided for, from the collector of taxes for said town, and shall apply same to payment of said coupons as they mature, and may invest the same from time to time in good, well secured interest bearing negotiable paper or buy a bond or bonds issued under this Act, if same can be bought at par, and shall make settlements of their accounts in writing once a year with the said Board of Mayor and Aldermen, or as they may direct or provide.

Sec. 9. *Be it further enacted,* That when said bonds are issued and sold for the purposes herein provided, said public school building shall be built under the directions of the Board of School Directors of Brownsville, and they may employ such experts, architects, mechanics, and builders, use such material and do and perform such acts with reference to the building of the same as to provide said city with a neat, substantial and commodious public school house.

Sec. 10. *Be it further enacted,* That Section 31 of said Act of 1893, Chapter 93, and as amended by said Act of 1895, Chapter 55, which undertakes to set out the different kinds and purposes of taxation, and to fix the maximum rates of taxation for each of same shall be and the same is hereby so amended as to provide as follows: That the ad valorem tax upon property for general purposes in any year shall not exceed 85 cents on the hundred dollars, and the taxes on merchants, pools [polls] and privileges for general purposes shall not exceed fifty per cent. of the State tax on same, and that special tax for school purposes shall not exceed 35 cents on the hundred dollars for any year, and that on merchants, pools, [polls] privileges, not exceeding 50 per cent. of the State tax on the same, and that in the event the bonds herein provided for, shall be sold, then, in that event, the said Board of Mayor and Aldermen shall, out of the taxes collected for either general or school purposes or both, set aside a

Oath of Com-missioners.

Sinking fund, how applied.

Public school buildings to be built.

Maximum tax rate.

sinking fund sufficient, with its accumulations, as near as may be estimated, to meet the interest annually on said bonds and pay off said bonds at maturity; *Provided*, that all the tax assessments for any and all purposes on property for any year, shall never at any time in the aggregate exceed one dollar on the hundred dollars.

Sec. 11. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 136.

[HOUSE BILL NO. 668.]

AN Act to change the line between the counties of Warren and De Kalb.

Change of county line. Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Warren and DeKalb be so changed as to include all of the land of Mrs. Laura Northcut, in the county of DeKalb.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 137.

[SENATE BILL NO. 472.]

AN ACT to change the line between the counties of Crockett and Gibson.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county line between Crockett and Gibson be changed as follows: Beginning where the line now leaves the Middle Fork of Forked Deer river, said point being in the east boundary line of A. J. Collinsworth's farm, known as the Bell farm, running thence down the center of the channel of the said Forked Deer river to where the north line of the said Bell track leaves said river; thence west with Humboldt and Alamo road, and the lines of the said Collinsworth and J. F. Craddock to the lands of T. J. Craddock, deceased; thence with the lines of said Collinsworth and said T. J. Craddock, deceased, to the present county line, including in Crockett County the entire tract known as the Bell farm. Change of county line.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 138.

[SENATE BILL NO. 476.]

AN ACT to authorize and empower the trustees of the "Somerville Male Academy" to sell and dispose of certain real estate.

**Authorizing
sale of Som-
erville Male
Academy.**

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Trustees of the Somerville Male Academy be and are hereby authorized and empowered to sell and convey by deed the real estate held by them as Trustees of the said Somerville Male Academy, which shall vest the grantees with a good and legal title to said property.

Sec. 2. *Be it further enacted,* That all moneys derived from said sale shall be reinvested in other school property within the corporate limits of the town of Somerville.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 139.

[HOUSE BILL NO. 610.]

AN ACT to incorporate the Harriman D'Armond Gap and Poplar Creek Turnpike Company, defining its power, manner of organization, liabilities and capital stock to be subscribed.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That J. H. Adams, L. W. Chandlier, J. W. Ayers, F. A. D'Armond, W. T. Gal-laher, Wm. Nugbert, E. E. Young, A. G. Watson, residents and citizens of the county of Roane, State of Tennessee, be and they are hereby appointed commissioners to open books at any time and place that they may choose, for the purpose of receiving subscription of stock to be used in the construction of a macadamized turnpike road running from the town of Harriman along the county road as near as possible, and change the direction and take out curves to E. W. Woods' store, and from there to D'Armond's Gap at the Morgan County line, and also from Woods' store east, by way of Clack's Gap, in the direction of Poplar Creek.

Authorizing citizens of Roane county to build turnpikes.

Sec. 2. *Be it further enacted,* That the capital stock of said company shall be sufficient in amount to construct said road not to exceed \$1,200, same to be divided in shares of \$25.00 each, and that when \$500.00 of the stock of said turnpike company is subscribed for in cash, labor or material, any two or more of said commissioners shall call a meeting of said stockholders of said company to be held in the city of Harriman by giving 5 or 6 days' notice of the time and place of said meeting, and at such time the subscribers for stock in said road shall elect 5 or 7 directors, one of whom shall be president and shall be made treasurer of said company, and also elect a general manager of construction, and these officers shall hold their office for a period of one year, and until their successors are elected and qualified.

Sec. 3. *Be it further enacted,* That the president and directors may in such manner as they think best procure and solicit additional subscription for stock, and either by themselves, or competent person or persons appointed by them, as the general manager may locate, and lay out said road, beginning at the N. E. corpora-

Power of commissioners.

tion line of the city of Harriman and running east to E. N. Woods' store on the county road, and to D'Armond's Gap at Morgan County line, and thence again from Woods' store on toward Poplar creek.

Sec. 4. *Be it further enacted*, That said president and their directors shall have power to lay out and put under contract, or order the general manager to construct the said road in parcels, great or small, as they may think best, to contractors for cash or stock in said company.

Road to be
graded.

Sec. 5. *Be it further enacted*, That said president and directors shall cause said road to be graded in cuts 22 feet wide at surface, grade on fills 18 feet within 6 degrees of a level at any point on said road, covered with crushed or beaten [stone] 4 inches deep, or gravel 2 inches deep on top of stone ballast, with suitable ditches on each side of said road or cross drains where necessary to carry off all water to save said beds.

Incorporated. Sec. 6. *Be it further enacted*, That said president and directors are hereby incorporated a body politic and corporate for the purpose herein set forth; may sue and be sued in style and name of the Harriman and D'Armond Gap of Poplar Creek and Turnpike Co., and shall have all power, rights, privileges and immunities given by law of [to] said company.

Gate.

Sec. 7. *Be it further enacted*, That said company may erect a gate and charge and collect toll on said road so soon as they shall have completed said road from Harriman to D'Armond's Gap, and also charge and collect on the road from Woods' store to Clack's Gap and on toward Poplar creek; said gates may be located anywhere on said road that the president and directors may think best.

Toll.

Sec. 8. *Be it further enacted*, That said company may charge and collect toll on said road the same toll that is usually allowed by law on other turnpike roads is in this city, to be fixed by the president and directors, or in a manner prescribed by law. If the stockholders in said road shall not be liable for more than said stock subscribed by them, and when a stockholder has paid the amount subscribed by him his liabilities shall cease.

County may
buy after five
years.

Sec. 9. *Be it further enacted*, That after said company shall have built and operated its turnpike roads for a period of five years, then if Roane County wishes to purchase said turnpike from said company, the company obligates its corporation to sell to Roane

County at cost of construction with 6 per cent. interest on same, terms of same to be agreed upon by the company and president and directors of said road.

Sec. 10. *Be it further enacted*, That said company shall have the right to charge one half toll rates, and when so much as five miles of their road is graded and the traffic goes over it, and further, to issue company bonds when the grade of as much as five miles has been completed to run 10 or 20 years at 6 per cent. interest.

Sec. 11. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 140.

[SENATE BILL NO. 290.]

A BILL to be entitled "An act to authorize the Mayor and Aldermen of the town of Springfield, Robertson County, Tennessee, to borrow the sum of ten thousand dollars for the purpose of purchasing sites for and erecting and furnishing public school buildings, and to issue interest bearing, negotiable bonds for said amount, and to levy and to collect taxes for the payment of the same.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Mayor and Aldermen of the town of Springfield, Robertson County, be and they are hereby authorized and empowered to borrow the sum of ten thousand dollars for the purpose of purchasing sites for and erecting thereon buildings to be used as public school buildings for the use and benefit of the children of school age of said town, and to this end said Mayor and Aldermen of the town of Springfield are hereby authorized and empowered to issue negotia-

Authorizing
Springfield to
issue bonds.

ble interest bearing coupon bonds to the amount of said sum of ten thousand dollars, and to negotiate and sell the same for the purpose of raising the money to purchase sites and erect, furnish, and equip public school buildings for the use and benefit of said town, but for no other purpose. Said bonds shall be signed by the Mayor and Recorder of said town, and the corporate seal of said town shall be affixed to each before being issued; they shall be issued in such denominations as the said Mayor and Aldermen shall fix, and be payable at the end of ten years from the date of their issuance, or sooner, at the option of the Mayor and Aldermen of said town, and shall bear interest at the rate of six per cent. per annum, payable semi-annually, to be evidenced by coupons attached to each of said bonds, but said bonds shall not be sold or disposed of at less than dollar for dollar of their face value.

Special tax.

Sec. 2. *Be it further enacted,* That upon the issuance of said bonds in conformity with the foregoing section, they shall be a valid and binding debt and obligation of the Mayor and Aldermen of the town of Springfield, and the Mayor and Aldermen of the town of Springfield are hereby authorized and empowered to levy and collect annually, beginning with the year 1898, while said bonds or any of them are outstanding, a special tax, not exceeding the rate of twenty cents on the one hundred dollars assessed value on all the taxable property, within the corporate limits of said town, and taxable under the laws of the State for corporation purposes, and to levy and collect a special privilege or license tax upon all pursuits, avocations, and business carried on within the corporate limits of said town, required by the laws of the State to pay a privilege tax to the State, not exceeding the rate or amount of privilege tax on such business for State purposes, for the purpose of paying the interest on said bonds as it becomes due, and to create a fund with which to pay off and retire the bonds herein authorized to be issued.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 9, 1897.

JOHN THOMPSON,

Speaker of the Senate.

MORGAN C. FITZPATRICK,

Speaker of the House of Representatives.

Approved March 13, 1897.

ROBT. L. TAYLOR,

Governor.

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CHAPTER 141.

[HOUSE BILL NO. 513.]

AN ACT to amend the charter of the city of Clarksville and providing that certain officers be elected bi-annually instead of annually.

Section 1. *Be it enacted by the General Assembly of Repeal.
the State of Tennessee,* That so much of the Act incorporating the city of Clarksville and Acts amendatory thereto as relate to the election by the Board of Mayor and Aldermen of a city recorder, marshal, treasurer, surveyor or engineer, attorney, assessor, police, firemen, and other officers, be and the same are hereby repealed.

Sec. 2. *Be it further enacted,* That after the expiration of the term or terms of the present officers of the city of Clarksville, enumerated in Section No. 1 of this Act, the said city officers shall be elected by the Board of Mayor and Aldermen at the first monthly meeting in February, 1898, and their term of office shall be two years, and thereafter they shall be elected and installed into office at the first monthly meeting in February of each and every two years, and shall serve for the said period of two years or until their successors are elected and qualified; *Provided*, that the city marshal may be elected at the regular monthly meeting in July instead of February if the Board of Mayor and Aldermen so desire.

Sec. 3. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed April 1, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 142.

[HOUSE BILL NO. 570.]

AN ACT to repeal the charter of the town Saulsbury, Hardeman County, Tennessee.

Repeal.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of incorporation of the town of Saulsbury, Hardeman County, Tennessee, be and the same is hereby repealed.

Sec. 2. *Be it further enacted,* That this Act take effect sixty days after its passage, the public welfare requiring it.

Passed March 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 143.

[HOUSE BILL NO. 532.]

AN ACT to amend Resolution No. 17, of regular Session of 1895, in reference to furnishing Polk County with a set of Supreme Court Reports.

Amendment.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the resolution of the regular session of 1895, No. 17, page 492, line 17, of said resolution be so amended as to read "Circuit Court Clerk's Office" instead of County Court Clerk's Office, and that said supreme court reports, furnished under said resolution, be transferred by the county court clerk of Polk County to the circuit court clerk's office of said county.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage.

Passed March 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 144.

[HOUSE BILL NO. 487.]

AN ACT to authorize the trustees of Arcadia School to sell the house and lot of said school and use the proceeds in constructing a new building.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Board of Trustees of Arcadia School in Warren County, State of Tennessee, be and the same are hereby authorized and empowered to sell and convey the present school building and the lot on which it stands, and to use the proceeds thereof in erecting a new building for school purposes in said district.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 145.

[HOUSE BILL No. 613.]

AN ACT to authorize the city of Harriman to enter into a contract for the erection of an incandescent electric light plant, and to re-issue certain bonds of said city to pay for the same, and to apply the earnings of said incandescent plant to the payment of the interest on the bonds, and create a sinking fund for the principal of said bonds.

Preamble.

Whereas, the people of the city of Harriman at an election held in said city in pursuance of ordinance duly enacted under the terms of the charter of said city, did by vote authorize the issuance of certain bonds for public improvements, the construction of an electric light plant and water works.

Whereas, the city of Harriman sold its municipal bonds to the firm of Messrs. Coffin & Stanton, of New York city, in the State of New York, and,

Whereas, said bonds were not paid in full and the said Coffin & Stanton failed and became insolvent after having hypothecated these bonds, to various persons and corporations as collateral security for loans obtained by them, and,

Whereas, the city of Harriman, under and in pursuance of an Act of the General Assembly of the State of Tennessee, entitled, "An Act authorizing the city of Harriman to compromise with the holders of the municipal bonds of said city," passed February 13, 1895, and approved February 14, 1895, being Chapter 40 of Acts of Tennessee, 1895, has become the owner and holder of certain of said bonds, having paid therefor out of the general fund of said city, and,

Whereas, doubts have arisen as to the authority of the said city to reissue or resell said bonds, which doubts greatly impair the value of said bonds and prevents their sale at their real value, and,

Whereas, said city of Harriman now desires to use a portion of said bonds for the purpose of completing its electric light plant by purchasing and adding thereto an incandescent plant and appliances; now, therefore,

Section 1. *Be it enacted by the General Assembly of the State of Tennessee.* That the city of Harriman is hereby authorized and empowered to enter into contract for the erection of an incandescent electric light plant, and for the purpose of paying the price agreed to be

Authorized to
sell bonds.

paid for the erection and construction of said plant, said city of Harriman is hereby authorized and empowered to sell any of the said bonds that said city has acquired under and in pursuance of the above recited Act, approved February 14, 1895; *Provided*, that the amount of said bonds to be sold as pledged under this authority shall not exceed at their par value exclusive of attached coupons the sum of five thousand five hundred (\$5,500.00) dollars.

Sec. 2. It is hereby made the duty of the city council *Sinking fund.* of the city of Harriman to set aside into a separate fund from the current monthly earnings from said incandescent plant a sum sufficient to meet and discharge the interest upon the bonds to be sold hereunder, and to create a sinking fund sufficient to pay the principal of said bonds at their maturity, and from said funds so set apart to pay said interest as it accrues and said bonds as they mature. Said principal and interest payable in cash or warrants or both, as shall be provided by ordinance.

Sec. 3. This Act shall take effect from and after its passage, the public welfare requiring it.

Passed April 1, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 146.

[SENATE BILL NO. 514.]

AN ACT to protect game in Benton County.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be unlawful for any person to hunt, capture, or kill any quail, partridge, or squirrels in Benton County for the purpose of exporting the same from said county.

Sec. 2. *Be it further enacted,* That it shall be unlawful for any person to buy any quail, partridge, or squirrels captured or killed in Benton County for the purpose of exporting the same from said county.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 147.

[SENATE BILL NO. 515.]

AN ACT to regulate the catching of fish in Benton County.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall hereafter be lawful for any bona fide citizen of Benton County to catch, capture, or kill fish in any manner in said county, for his own use, or for the use of citizens of said county, except by dynamite or other explosive substances, or seines or nets with meshes less than one and one-fourth inches.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

This bill was not approved by the Governor, but becomes a law without his signature; the time for holding the same having passed as per the Constitution.

MANN WILLS,
Chief Clerk of the Senate.

May 1, 1897.

CHAPTER 148.

[SENATE BILL NO. 372.]

AN ACT to change the line between Smith and Putnam Counties.

Section 1. *Be it enacted by the General Assembly of* Change of line *the State of Tennessee*, That the line between Smith and Putman Counties be so changed as to detach the lands of I. W. Evans from Putman County and attach the same to Smith County. Said lands beginning at the mouth of Rock Spring creek; running down Caney Fork river 280 poles to a sycamore; thence north 230 poles to a beach; thence east 14 poles to a line; thence north 18 poles to a stake; thence east 160 poles to a branch; thence down said branch 160 poles to Rock Spring Creek; thence down said creek 60 poles to the beginning.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 149.

[SENATE BILL NO. 584.]

AN ACT to change the line between the counties of Cumberland and Bledsoe.

Change of line Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Cumberland and Bledsoe be and is hereby so changed as to include the land of E. T. Patton in Bledsoe; said tract is bounded on the north by Stephens, on the east by Brown, on the south by Stephens, on the west by Stephens.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 150.

[SENATE BILL No. 583.]

AN ACT to authorize Maury County, Tennessee, to issue bonds for the purpose of funding her outstanding indebtedness.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county court of Maury County, through her quarterly county court, be and the same is hereby authorized and empowered to issue coupon bonds of the county for the purpose of funding and paying off her outstanding indebtedness, and in any amount not to exceed \$50,000.00, bearing interest at a rate not to exceed 6 per cent. per annum, payable semi-annually, and the bonds herein provided for to be payable not more than twenty years from date thereof, but may be redeemed at any time after one year by order of the quarterly court.

Maury County
Court author-
ized to issue
bonds.

Sec. 2. *Be it further enacted,* That the bonds shall be payable to J. R. Granberry, Trustee of Maury County, and to be signed by the chairman of the county court, and countersigned by the clerk of the county court of said county with his official seal attached to the same, and the said bonds shall be in denominations of one hundred (\$100.00) dollars, five hundred (\$500.00) dollars, and one thousand (\$1,000.00) dollars, and shall be numbered in the order of their issuance beginning with one.

Payable to
county trustee

Sec. 3. *Be it further enacted,* That each of said bonds shall have attached to it interest coupons, showing the amount of each semi-annual installment of interest on said bonds, and when the same shall fall due, which coupons shall be signed by J. R. Granberry, trustee, and showing on their face the number of the bond to which they are attached.

Coupons to
show, what.

Sec. 4. *Be it further enacted,* That it shall be the duty of the quarterly county court annually to levy a tax on the taxable property and privileges of said county, for the purpose of paying off said bonds and interest thereon; and said bonds are to be redeemed on or before twenty years from their issuance.

Annual tax to
be levied.

Sec. 5. *Be it further enacted,* That it shall be the duty of the Trustee of Maury County to pay the semi-annual interest coupons and also to pay off the bonds as the fund herein provided is collected, and that said coupons and bonds shall be turned over to the chairman of the county court for cancellation, and when cancelled shall be preserved as part of the records of his office. The trustee shall make semi-annual reports on July and January of each year, showing the interest

Duty of trustee

paid and the bonds cancelled and also the amount of outstanding bonds, and he shall receive the same compensation, and none other, for collecting the special tax herein provided for as for collecting other county revenue.

Sec. 6. *Be it further enacted*, That said bonds shall not be sold for less than par value.

Sec. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 151.

[HOUSE BILL NO. 655.]

AN ACT to change the times of holding the Chancery Court in and for Grundy County, and to repeal so much of the Acts of 1895, Chapter 37, as relates to the time of holding said courts.

Time of holding Grundy County Chancery Courts. Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the chancery courts of Grundy County shall hereafter be held on the first Tuesdays after the third Mondays in May and November instead of the first Tuesdays after the second Mondays in February and August, as provided in the Acts of 1895, Chapter 37.

Sec. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed; and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 152.

[HOUSE BILL NO. 795.]

AN ACT to authorize and empower the trustees of Franklin Academy to sell the same or the grounds on which it is situated, or both, and providing for the disposition of the proceeds of the sale or sales.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the present Trustees, or their successors in office, of Franklin Academy be and they are hereby authorized and empowered to sell the same and execute deed to the purchaser or purchasers thereof.

Sec. 2. *Be it further enacted,* That the trustees are hereby further empowered to sell either the building or lot, or both, as in their judgment may be to the best interests of the State.

Sec. 3. *Be it further enacted,* That the proceeds of said sale or sales shall be paid over by said trustees to the Trustee of Campbell County for the use of the common school fund of said county.

Sec. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 153.

[HOUSE BILL NO. 450.]

AN ACT to repeal Chapter 78 of the Acts of 1870, passed February 28, 1870; also to repeal Chapter 262 Acts of 1889, passed April 5, 1889, amendatory thereof.

Amendment. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 78 of the Acts of 1870, and Chapter 262, Acts of 1889, amending said Chapter 78, being an Act incorporating the town of Waynesboro, in the county of Wayne, be and the same are hereby repealed.

Sec. 2. *Be it further enacted,* That this Act take effect from and after July 1, 1897.

Passed April 1, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 154.

[SENATE BILL NO. 436.]

AN ACT to amend an act entitled, "An act for the protection of fish in the State of Tennessee," it being Chapter 127 of acts of 1895, and passed May 7, 1895.

Amendment. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act entitled, "An Act for the protection of fish in the State of Tennessee," it being Chapter 127 of the Acts of 1895, passed May 7, 1895, be so amended as to allow the citizens of Crockett County to fish in any of its streams, lakes, and ponds, as follows: By hook and line, fall down trap, fish basket, and sein.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

This bill becomes a law without the approval of the Governor; he having had same for a longer time than set out in the Constitution.

MANN WILLS,
Chief Clerk of the Senate.

May 1, 1897.

CHAPTER 155.

[SENATE BILL NO. 493.]

AN ACT to authorize and empower the mayor and aldermen of the town of Gallatin, Sumner County, to fund their indebtedness upon certain conditions, and to levy and collect taxes for the payment of the same.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Mayor and Aldermen of the town of Gallatin, Sumner County, be and are hereby authorized and empowered to fund, by the issuance of coupon bonds, in the manner and under the restrictions hereinafter provided, all or any portion of its floating or bonded indebtedness existing on the first day of January, 1897.

Section 2. *Be it further enacted*, That all bonds issued hereunder shall be of such denominations, bear such rate of interest, not exceeding 6 per cent. per annum, and be due in such time, not less than three nor more than thirty years from date, as the corporate authorities of said Mayor and Aldermen of the town of Gallatin may determine, and that all bonds issued hereunder shall be payable, principal and interest, at the office of the treasurer of said corporation in Gallatin, Tennessee.

Section 3. *Be it further enacted*, That any and all bonds issued hereunder shall be signed by the Mayor and by

the Recorder of said corporation, and shall have the corporate seal affixed before being issued, and the interest on the same shall be payable annually or semi-annually as the said corporate authorities may determine, and said interest shall be evidenced by coupons attached to each bond, and each of said interest coupons shall be signed by the Mayor and by the Recorder of said town before being issued, but none of said bonds shall be sold or disposed of in any manner at less than dollar for dollar of their face value.

To provide for sinking fund. Sec. 4. *Be it further enacted,* That upon or before the issuance of any bonds hereunder, the said Mayor and Aldermen of the town of Gallatin be and are hereby authorized and empowered to provide, by ordinance, for a sinking fund wherewith to retire, and pay off any and all bonds, and the interest on the same, that may be issued hereunder, and to levy and collect a special tax on all taxable property within the corporate limits of said town, and taxable under the laws of the State of Tennessee, for corporation or municipal purposes, for the purpose of retiring and paying off said bonds and the interest, said tax to be designated or named according to the purpose for which it may be levied, and the said tax to run with the bonds as long as any shall be outstanding, and to be used exclusively for the purpose levied, and shall be in amount sufficient, as near as may be estimated, to pay the interest, and to retire and pay off the principal of the said bonds at or before the maturity of the same, and any or all bonds issued hereunder shall provide on the face of the bond that it is payable at any time before maturity at the option of the said Mayor and Aldermen of the town of Gallatin.

Sec. 5. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 1, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 156.

[HOUSE BILL NO. 644.]

AN ACT to amend the charter of the city of Memphis in respect of the conditions of bonds to be given on appeals from judgments rendered in the police court; to provide that appeals shall be from said police court to the Second Circuit court of Shelby county, and to transfer to said Circuit court such appealed cases now pending in the First Circuit court of Shelby County.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the city of Memphis be and it is hereby so amended as to provide that when appeals are prosecuted from judgments rendered in the police court of said city, the appellant shall give a bond with good and sufficient surety or sureties and conditioned in addition to all other conditions now prescribed by law, that the surety or sureties shall be liable for whatever judgment may be rendered against the principal in the appellate court; and such appellate court shall, when rendering judgment against the appellant, render a like judgment against the surety or sureties on his appeal bond.

Sec. 2. *Be it further enacted,* That appeals from said police court of the city of Memphis shall hereafter lie to the second circuit court, instead of to the first circuit court of Shelby County, and all cases pending at the time of the passage of this Act by appeal from said police court in the first circuit court of Shelby County shall at once after the passage hereof be transferred to the dockets of and shall stand for trial in said second circuit court of Shelby County.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

Amendment to
charter of
Memphis.

Appeals from
police court
to lie to cir-
cuit court.

CHAPTER 157.

[HOUSE BILL NO. 404]

AN ACT to protect certain named game birds in the counties of Sumner, Tipton, Anderson, Rutherford and Williamson, and to provide a penalty for the unlawful killing of same, or disturbing or destroying nests and eggs of same.

Game law.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That whoever, in any place in the counties of Sumner, Tipton, Anderson, Rutherford, and Williamson, catches, kills, or injures or pursues with such intent any quail, partridge, prairie chicken, grouse, or pheasant for the period of two years from the passage of this Act, shall be fined not more than twenty-five (\$25.00) dollars nor less than two (\$2.00) dollars, or be imprisoned not more than thirty days or both; *Provided*, that this Act shall not apply to persons shooting birds on their own lands in Tipton County or granting the same privileges to others.

Penalty.

Sec. 2. *Be it further enacted,* That whoever, at any time disturbs or destroys the eggs of any of the birds named in the first Section of this Act, shall be fined not more than fifty (\$50.00) dollars nor less than two (\$2.00) dollars or imprisoned not more than thirty days or both. And the having in possession the eggs of any of the birds named above shall be *prima facie* evidence of such unlawful disturbing and destroying of the nest and eggs.

Sec. 3. *Be it further enacted,* That whoever purchases or exposes for sale any of the birds named in Section 1 of this Act, or shall ship the same out of the said counties named above shall be fined not more than twenty-five (\$25.00) dollars nor less than five (\$5.00) dollars or imprisoned not more than thirty days or both; and the expose for sale or shipment of any of said named birds shall be *prima facie* evidence of the unlawful killing of same.

Sec. 4. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 158.

[HOUSE BILL No. 514.]

AN ACT to authorize Sevier County to issue coupon bonds for the purpose of building and equipping a pike road.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county of Sevier, through her quarterly county court, at any term thereof, be and the same is hereby authorized to issue coupon bonds of the county for the purpose of building and equipping a pike road from the eastern terminus of the pike as now built near Shook's Gap in said county to Sevierville with or near the route now surveyed, and from Sevierville on towards Newport as the location may hereafter be determined by survey, in any sum not to exceed seventy-five thousand dollars (\$75,000.00) in the aggregate, bearing interest at a rate not to exceed six per cent. per annum and payable annually. Said bonds to be due and payable fifteen (15) years from date; *Provided*, that two-thirds of the justices of said court attend the term thereof at which the issuance of said bonds shall be passed upon and vote therefor.

Sec. 2. *Be it further enacted*, That said bonds shall be signed by the judge or chairman of the county court of Sevier County and countersigned by the clerk of the county court of said county with his official seal affixed to the same, and shall be in the denomination of five hundred dollars (\$500.00) each, and shall be numbered in the order of issuance beginning with one.

Signatures
and denominations.

Sec. 3. *Be it further enacted*, That each of said bonds shall have attached to it fifteen (15) coupons, showing the amount of each annual installment of interest on said bond, and when the same shall fall due, which coupon shall be signed in the same manner as the bonds except the official seal of the clerk of said court need not be affixed to said coupons, and showing on their face the number and denomination of the bonds to which they are attached. The coupons herein provided for shall become due and payable annually, and, when due, shall be receivable in payment of any county taxes, except the sinking fund tax hereinafter provided for; and when so received or paid off by the trustee or tax collector, shall be by him cancelled by stamping or writing on the face thereof the date received or paid, and held by him as his voucher for the payment on his

Coupons shall show, what.

settlement with the judge or chairman of the county court, who will preserve said coupons as a part of the record of his office.

Annual tax levy.

Sec. 4. *Be it further enacted,* That it shall be the duty of said quarterly county court of said county to levy a tax annually on the taxable property of said county for the purpose of paying the annual interest on said bonds, and also for the purpose of creating a sinking fund for the redemption of the bonds herein authorized when the same shall fall due, and to enable the county court to know what amount of tax to levy. The chairman or judge of the county court shall keep in a well bound book in his office, a record of the number and denomination of all bonds issued under this Act and the aggregate sum thereof, which at all times shall be subject to inspection by said court.

Tax to be collected and accounted for.

Sec. 5. *Be it further enacted,* That the county trustee or tax collector shall collect and account for the tax herein authorized in the same manner as he is now required to collect and account for other county taxes, and he shall receive the same compensation as for collecting and accounting for other county taxes; and said county court may, when it thinks proper, require such trustee or tax collector to give an additional bond for the faithful performance of his duties in collecting and accounting for said pike fund.

Notice to be given when bonds fall due, etc.

Sec. 6. *Be it further enacted,* That the judge or chairman of the county court of said county shall within the last sixty (60) days immediately preceding the maturity of said bonds give notice to the holder or holders of said bonds, through a newspaper, published in said county, for a term of thirty (30) days, stating in said notice the date that said bonds fall due, and requesting that the same be presented for payment or redemption on said date of maturity. If there be no newspaper published in said county, then said notice shall be posted for a like number of days on the court house door in said county; and should not said bonds be presented for payment at maturity, then the interest thereon shall cease from that date; and when said bonds or any of them are paid and returned, as herein set out, the trustee or tax collector shall, upon settlement with the judge or chairman of the county court, have credit therefor on account of sinking fund tax, and after they have been entered on the chairman's book, as aforesaid, said bonds shall be defaced by stamping or writing across the face of the same the date when they were accounted for on settlement, and the same filed with

the coupons thereon as parts of the records of the judge's or chairman's office.

Sec. 7. *Be it further enacted*, That said bonds shall not be sold for less than their par value.

Sec. 8. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 159.

[SENATE BILL No. 533.]

AN ACT authorizing the County Court of Bradley County, Tennessee, to issue bonds for the improvement of certain public roads in said county.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county court of Bradley County, Tennessee, a majority of the justices of the peace of said court being present and voting therefor, be and are hereby authorized and empowered to issue bonds of said county, not to exceed (\$50,000.00) fifty thousand dollars for the purpose of improving the following named public roads of said county, to-wit: The public road leading from Cleveland to Charleston; the public road leading from Cleveland to Benton, to Polk County line; the public road leading from Cleveland to Georgetown, to Meigs' County line; the public road leading from Cleveland to Red Clay, Ga.; the public road leading from Cleveland to Spring Place, Ga.; to Georgia line; and the public road leading from Cleveland to Harrison, to James County line.

Section 2. *Be it further enacted*, That the county court may elect commissioners to

employ engineers and other necessary expert service to survey, inspect, or change and classify these roads and make maps and charts showing the changes and improvements which the public interest requires to be made on said roads; said improvements to include grading, filling, nettling, ditching, widening, bridging, draining, piping, and other necessary improvements in constructing said roads, and said commissioners shall ascertain and report in detail the probable or approximate cost of making said improvements, together with probable damages which will be done to adjacent lands by such changes.

Commissioners to make report.

Sec. 3. Be it further enacted, Said commissioners shall make a full report of its act and recommendations to the county court at its regular quarterly session, attaching thereto maps, charts, plans and specifications itemized, and showing in detail the estimated cost of the proposed improvements.

Court to vote on report.

Sec. 4. Be it further enacted, That when the report of the commission is submitted to the county court the court shall take a vote thereon, and if a majority of the justices vote for adopting the report of the commissioners, the same shall be entered on record upon the minutes of the court.

Court to order issue of bonds.

Sec. 5. Be it further enacted, That thereupon the county court shall order an issue of the bonds of the county in denominations of not more than \$1,000.00 each, payable in not less than thirty years, with interest coupons attached, payable semi-annually, and the bonds shall not bear a greater rate of interest than 6 per cent. per annum.

Court to elect or appoint commissioners.

Sec. 6. That when the financial arrangements shall have been made, the county court shall elect or appoint three commissioners, who shall advertise for bids for said work as a whole or in sections or parts and give the same to the lowest responsible bidder or bidders, but no bid shall be accepted which is higher than the estimated price or worth named in the report of the commissioners as adopted by the county court; and said commissioners may employ engineers or other necessary aid to supervise and superintend the work. All work shall be done subject to the inspection of the commissioners or the engineers or assistants appointed by them. The work done according to the specifications laid down shall be approved and accepted by the commissioners, and work not up to the specifications shall be disapproved and rejected by the commissioners.

Proceeds of bonds to be special fund.

Sec. 7. That the proceeds of the bonds issued for said road improvements shall be paid into the county

treasury as a special fund to be kept separate and apart from all other accounts until the purposes for which the funds were raised are complete. If after completion of the improvements, for which the funds were raised, there remains a surplus, this may, by order of the county court, be turned over to the road funds of the county. The county trustee shall give special bond for this fund and pay the same out upon the estimates of the commissioners by order and warrant of the chairman of the county court for same, from time to time as the work progresses, except 10 per cent. of the estimates shall be retained in hands of the trustee to secure the full performance of contracts which shall not be paid until the work is completed and accepted by the commissioners. The commissioners shall require good and solvent bonds of all contractors and said bonds shall also be approved by the chairman of the county court for the compliance of all contracts made for improving and constructing said roads. The commissioners shall make reports to the county court at each quarterly term showing the progress of such improvements giving details and at completion of the work shall make a final report to the court.

Sec. 8. The county court shall include in its tax assessment sufficient amount to meet the interest on said bonds and provide a sinking fund for the payment of the same; and no bond herein provided for shall be sold for less than its face value.

Sec. 9. This Act shall take effect from and after its passage.

Passed April 9, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 160.

[HOUSE BILL NO. 564.]

AN ACT to change the time of holding the Chancery Court of Clay County.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the time of holding the chancery court of Clay County be changed from the last Mondays in March and September to the last Mondays in February and September.

Sec. 2. *Be it further enacted,* That all bonds and process issued to and returnable to said last Mondays in March and September in Clay County shall be valid and binding and returnable to said last Mondays in February and September.

Sec. 3. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed April 1, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 161.

[SENATE BILL NO. 10.]

AN ACT to incorporate the city of La Follette, Campbell County, Tennessee, and to establish a school district therein, and to support the same by taxation and to provide for an election of officers for said city and school district and for other purposes.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* as follows: That the inhabitants of the city of LaFollette, in the county of Campbell, and State of Tennessee, be and they are hereby constituted a body politic and corporate, by the name and style of "The City of LaFollette," and by that name shall have perpetual succession, may sue and be sued, plead and be impleaded in all courts of law and equity, may have and use a common seal and alter the same at pleasure; and may grant, receive, purchase, and hold real estate, mixed, and personal property, or dispose of the same for the benefit of the said city. Incorporation.

Sec. 2. The corporate limits of the city of LaFollette shall be as follows: Beginning at an oak tree on Big creek or Indian river, corner to T. B. Ford and Wilhite tract; thence with Ford's line S. 71° , 30', W. 429 feet to a cedar bush; thence W. 46° , 30', W. 99 feet to a stake in edge of county road; thence S. 59° , 25', E. 1,-876 feet to an oak tree, corner to B. T. Wilhite and T. B. Ford; thence with B. T. Wilhite's line S. 42° , W. 63 feet to an oak tree; thence with Wilhite's line S. 36° , 0', 9", W. 1,430 feet to an oak tree; thence N. 52° , 30' W. 2,050 feet to a small poplar tree corner to B. T. Wilhite's and Sharp; thence W. 73° , W. 1,040 feet to a post oak; thence S. 89° , 30', W. 203 feet to a stake; thence S. 58° , W. 400 feet to a black oak tree; thence S. 21° , W. 400 feet to a stake; thence S. 47° , W. (passing a double dogwood on top of the ridge at 700 feet) a straight line to a stake in the George Meyers and DeLap line; thence N. 34° , W. on said Meyers and DeLap line, to a point one pole due northeast of a chinquapin tree, Geo. Meyers' corner; thence S. 45° , W. one pole to two sugar trees on Hunter's Spring branch; thence up said spring branch as it meanders 230 poles to a stake in the Mayberry line, being the northwest corner of the old DeLap tract; Corporate limits.

thence north 45° , E. 12,400 feet to the north-east corner of the Henry Meyers tract; thence with the Meyers line S. 42° , E. 3,690 feet to a black oak tree; thence S. 20° , $30'$, E. 4,215 feet to a stake; thence S. $67''$, W. 495 feet to a white oak tree; thence S. 62° , W. 561 feet to a poplar tree; thence south 81° , W. 957 feet to center of Big creek or Indian river; thence down said river S. 10° , W. 165 feet; thence south 32° , $30'$, W. 165 feet; thence south 55° , W. 66 feet; thence S. 42° , W. $115\frac{1}{2}$ feet; thence S. 65° , W. $148\frac{1}{2}$ feet; thence S. 61° , W. 99 feet; thence S. 41° , W. 132 feet; thence S. 33° , W. $148\frac{1}{2}$ feet; thence S. 11° , $30'$, W. 99 feet; thence S. 17° , $30'$, E. 140 feet; thence S. 52° , E. 165 feet; thence S. 55° , E. 132 feet; thence S. 57° , E. 165 feet; thence S. 49° , E. 99 feet; thence S. 87° E. $82\frac{1}{2}$ feet; thence S. 83° , E. 231 feet; thence S. 20° , E. 33 feet; thence S. 19° , E. 985 feet; still down the center of Big creek or Indian river to the place of beginning, comprising 1,840 acres more or less, all situated in the fifth civil district of Campbell County, State of Tennessee.

Adjoining territory.

Sec. 3. Any territory abutting upon or adjoining to the city of LaFollette may be platted by the owner or owners thereof into streets, alleys, blocks, and lots, conforming to and corresponding with the adjacent parts of said city, and, if desired by the owners of such land as shown by petition to the city council of said city, may be annexed to the said city, by ordinance upon such terms and conditions as the said council may deem for the best interest of said city, and shall be and become a part of said city as effectually as though the same had been annexed by Act of Legislature; *Provided*, that this section shall not apply to any lands upon which any taxes assessed in any town or municipal corporation are due and unpaid, nor to the lands of any town or other municipal corporation having a funded debt.

Officers.

Sec. 4. The officers of the city of LaFollette to be chosen by the people, shall be a Mayor, five aldermen, who shall constitute the city council, and three school directors. Said Mayor shall be chosen by the voters of said city every two years. No person shall be eligible to the office of Mayor or Alderman unless he shall have been a citizen of the United States for five years and a citizen of the State of Tennessee, and a qualified voter and a resident of the said city for at least one year next before the day of his election; *Provided*, that such residence qualifications shall not apply to the first Mayor, Aldermen or school directors to be elected under this

charter, nor to the first officials hereinafter provided for, to be appointed by the Mayor or city council.

Sec. 5. The Mayor shall hold his office for two years Mayor, duties and powers. and until his successor shall be elected and qualified. The Mayor shall from time to time give the city council information relative to the condition of the corporation, and shall recommend such measures as he may deem expedient for the interest of the city. The Mayor shall take care that the laws of the State and the ordinances of the city are enforced within the city, and may remit either wholly or in part fines, costs, forfeitures, and penalties imposed for the violation of any ordinance, but shall make a report of such remissions to the city council at the next session thereof, together with his reason therefor. He shall have power to appoint experts to examine the affairs of any department of the city government whenever he shall deem it necessary. All ordinances or resolutions shall be approved and signed by the Mayor on or before the next meeting of the city council after the passing of such ordinances or resolutions, and the Mayor shall have veto power. If he refuse to approve any ordinance or resolution he shall return the same to the council at its next meeting with his reason, in writing, for his refusal; and said ordinance or resolution shall not be valid unless the council, by a two-thirds vote, pass the same notwithstanding the Mayor's veto; but if the Mayor does not veto the same as provided it shall be valid without his signature. The Mayor shall be ex-officio, a member and chairman of the administrative city boards of police, fire, public improvements and health. He shall call special sessions of the city council when he may deem expedient, and shall perform such other duties as the council may, by ordinance or otherwise, impose upon him. A vacancy in the office of Mayor shall be filled by the city council.

Sec. 6. Immediately after entering upon the duties Appointees of mayor, their duties and powers. of his office, the Mayor shall appoint a judge of the city court, a city marshal who shall be ex-officio, chief of police, a city attorney, a city engineer, a city health officer, each of whom shall have been a resident of said city for at least one year prior to the date of such appointment, and shall hold his office for two years, and until his successor shall be appointed and qualified. The respective duties of said officials shall be as follows: 1st. The judge of the city court is hereby vested with all the powers of a justice of the peace in criminal cases, and shall preside over the city criminal court, which

is hereby established, and shall try all offenses against the peace and dignity of the city of LaFollette; *Provided*, however, that a change of venue may be had in any case when affidavit is made by the accused, and at least one disinterested party, that justice, in their opinion will not be done said defendant by said judge of the city court, to any aldermen of the said city, designated by the said judge, who is hereby authorized to try such case or cases; in event of appeal from the decision of said city court to the circuit court of Campbell County, Tennessee, the appellant shall give bond and security for the payment of any fine and costs imposed, and to abide by and perform the judgment of the court in appeal, and in no case shall be entitled to an appeal from said fine and cost on the pauper's oath. In the absence of the judge of the city court, the Mayor shall designate an alderman, who shall be vested with the same power as the said judge, to try cases. 2d. The city marshal, or chief of police, shall acquaint himself thoroughly with the laws and ordinances of the city and shall rigidly enforce the same, for which purpose full authority is hereby given him. He shall have power to execute State warrants and other processes. He shall be ex-officio, a member of the Board of Police, as hereinafter provided. 3d. The city attorney shall give his written opinion upon all legal questions submitted to him by the Mayor or city council and shall perform such other duties as may be provided by ordinance or resolution of the city council. 4th. The city engineer shall have general supervision of the public improvements and public works of the city, and shall perform such duties as may be prescribed by ordinance or resolution of the city council. 5th. The city health officer shall be a physician duly licensed under the laws of the State, and an inhabitant of the city for at least six months before his appointment. It shall be his duty to enforce all rules and regulations made by the Board of Health as hereinafter provided, and to execute all the duties that may be imposed upon him by city ordinance or resolution. He is hereby authorized to enter, in the day time, upon any premises and into houses and buildings within the city of LaFollette, and may cause to be abated, removed or destroyed any nuisances injurious to health, whenever the same may be found in the city, and the rules and regulations of the Board of Health for the abatement of such nuisances shall be enforceable in the criminal court of said city. It shall be the duty of the city marshal, and other members of the police force to report to the health officer all matters

which may come to their knowledge injurious to, or threatening the public health in general.

Sec. 7. The city council, immediately after its organization, following each biennial election, shall appoint or elect a city clerk, a city treasurer, and a city assessor, each of whom shall have been a resident of said city and State for at least one year prior to such appointment, and shall hold his office for two years and until his successor is appointed. The respective duties of said officits shall be as follows: 1st. The city clerk shall keep an accurate minute of all proceedings of the city council, issue privilege licenses, and collect taxes on the same; he shall collect all special taxes levied by the city council, and shall keep a proper ledger of the same. He shall make out the tax books and turn the same over to the city treasurer for collection, taking his receipt therefor under the State laws regulating and governing the assessors of the State and county taxes, and shall perform such other duties as the city council may by ordinance impose upon him. 2d. The city treasurer shall receive from the city clerk and from other proper source all funds belonging to the city, and shall receipt for, take care of, and keep a proper account of the same; he shall keep such book or books as the city council shall direct. He shall pay out such funds, upon the written order of the Mayor, countersigned by the city clerk, except the funds of the "City of LaFollette School District," which shall be paid upon the order of the Chairman of the Board of School Directors, countersigned by the clerk thereof. He shall make out and present quarterly or oftener, if required by the council, a full and explicit account of all finances under his control, and also a complete statement of the finances of the city, which report the city council may order published for the information of citizens. The city treasurer is hereby made the collector of city taxes, and for the purpose of collecting taxes assessed by the city council, and is hereby given all the powers and charged with all the duties devolved by law upon the county trustee for the collection of the State and county revenue and all laws of this State, for the assessment and collection of general taxes, including laws for the sale of property for taxes, and the redemption of the same shall apply to and have full effect in the collection of taxes for the city of LaFollette. He shall perform such other duties pertaining to his office as the city council may, by ordinance, provide. 3d. The city assessor shall assess all property, within the city limits, in the same manner as

Appointees of
city council,
their duties
and powers.

the county assessor in the State assesses property for State and county purposes; for that purpose he is hereby vested with all the powers of a county assessor and is charged with all the duties of such county assessor, so far as the same may be applicable to the assessment of property within the limits of the city. As soon as his assessment roll in each year is ready for the extension of taxes, he shall certify the total amount of property within the city limits to the city clerk, whereupon the city council shall immediately proceed to make the proper levy, in mills, upon the valuation, to meet the expenses of the city; *Provided*, that the total levy for all general purposes in any year shall not exceed two per cent. (2 %) of the total assessment of said property for city purposes for that year. The city assessor shall perform such other duties as may be prescribed by city ordinance.

City Council.

Sec. 8. The city council shall consist of five aldermen who, at the first election after this charter, shall be elected by the city at large, and shall thereafter be elected one from each ward of said city, as hereinafter provided. No person who has any direct personal interest in any contract with the city, or with any department or institution thereof or who is indebted to the city or county for any taxes or who shall have been convicted for any malfeasance in office, bribery or other corrupt practice, or shall be under a charge of indictment therefor within said county, shall be qualified to be elected to, or shall hold the office of alderman. The city council, at its first meeting, and annually thereafter, shall appoint one of its own members to preside, who shall hold such position for one year and until his successor is elected; and, as president of the city council, he shall be ex-officio, a member of the administrative Boards of Police, Public Improvements, and Health. The city council shall be the sole judge of the qualification and election of its own members, and shall have the power to determine the rules of its own proceedings, punish its members for disorderly conduct, and with the concurrence of four of its five members-elect, may expel a member. A majority of the members elect of such board shall constitute a quorum to do business, but a smaller number may adjourn from time to time, and may compel the attendance of absent members in such manner and under such penalties as may be by ordinance provided; all ordinances and resolutions, to be valid, must receive a majority of the votes of the members-elect of such council.

Sec. 9. The city council shall have the management and control of the city finances and all property of the corporation, real, personal, and mixed, and shall have power, by ordinance, within the city, 1st. To assess property for taxes, to levy and collect taxes upon real and personal property, polls and privileges, and to license or tax everything that may be licensed or taxed by the State or county. 2d. To appropriate money and provide for the debts and expenses of the city. 3d. To establish a system of free schools, including primary, secondary, and high grade schools, and maintain them by taxation, and regulate the said schools so as to avoid sectarian influence, and, for this purpose, to maintain a Board of School Directors as hereinafter provided. 4th. To make regulations to secure the general health of the inhabitants, and to prevent nuisances; to prevent the introduction of contagious diseases into the city, and to establish hospitals, and make regulations for the government of the same. 5th. To establish, open, alter, abolish, widen, extend, grade, pave or otherwise improve and repair streets, avenues, lanes, alleys, side walks, drains, gutters, and sewers, to prevent and remove all obstructions and encroachments thereupon, and to provide for the construction and repair of side walks, for the cleaning of the same, and at the expense of the owners of the grounds fronting thereon, and to provide for the planting and protection of shade trees upon the streets, avenues, and parks, or other public grounds, and to regulate the same. 6th. To establish, erect, and keep in repair, bridges, wharves, levees, viaducts, culverts, and drains. 7th. To provide for the erection of all buildings necessary for the use of the city, and to erect market houses, establish markets, and regulate the same. 8th. To construct and provide for the lighting of streets, public buildings, market houses, and other public places as hereinafter provided. 9th. To contract and provide for the water within and beyond the city limits for all public and corporation purposes. 10th. To provide for the prevention or extinguishment of fires, to organize and establish fire companies, to maintain a city fire board, regulate, restrain, and prohibit the erection of wooden buildings in any part of the city, and to regulate and prevent the carrying on of manufactories dangerous in causing or producing fire. 11th. To regulate the storage of gun powder, tar, pitch, resin, saltpetre, assafoedita, gun cotton, and all other combustible materials, and the use of lights, candles, and stove pipes.

Police regulations, work-house, etc.

in stables, shops and other places. 12th. To regulate the police of the city, to impose fines, forfeitures, and penalties for the breach of any ordinance, and to provide for their recovery and appropriation, and for the arrest and confinement until trial of all disorderly or riotous persons within the city by day or by night; and to authorize the arrest and detention of all suspicious persons found violating any ordinance of the city. 13th. To erect and maintain a workhouse and house of correction, and provide for its management; to commit any person or persons who may fail or refuse to pay or secure any fine or costs imposed on him, or them, by any ordinance of said city to said workhouse, or to the jail or workhouse of Campbell County, until such fine and costs be fully paid or secured. Every person so committed shall be required to work for the city at such labor as his or her health and strength will permit within or without said jail or workhouse, not exceeding ten hours each day; and for such work the person so employed shall be allowed, exclusive of his board, a credit upon such fine and costs of not less than twenty-five (25) cents per day, until the whole is discharged, when he shall be released; *Provided*, that no person shall be compelled to work longer than three months for any one offense. An agreement may be made with Campbell County, to allow the city to commit persons to the jail or workhouse of said county, upon such terms as may be agreed upon. 14th. To regulate or prohibit and suppress disorderly or bawdy houses and houses of ill-fame; and to prohibit and suppress the sale or distribution of obscene books, papers, prints, and pictures, dance house, opium joints, gaming, gambling houses, prize fighting, cock fighting, dog fighting, lottery or policy shops, and to destroy instruments used in gambling, or in other vicious and unlawful practices. 15th. To prevent and punish, by pecuniary penalties or otherwise, all breaches of the peace, noises or disturbances, or disorderly assemblages in any alley, or street, house, or place in the city, by day or by night. 16th. To establish standard weights and measures to be used in the city in all cases not otherwise provided for by law, to provide for the inspection and measuring of lumber and other building material, for the inspection and weighing of stone, coal, wood, and other fuel, hay, corn, and other grains, and wool and other farm products; to provide for and regulate an inspection of beef; to license and regulate butcher shops and slaughter houses, and to suppress hucksters, except farmers, gardeners, and others selling their own products. 17th. To regulate, tax,

Weights and measures.

license, or suppress, the keeping, or going at large of animals, within the city, or in any prescribed or designated part of the city, to provide pounds and impound any animal or animals, and, in default of redemption, in pursuance of ordinance, to sell, dispose of or kill the same. 18th. To make such rules and regulations as it may deem proper for the establishment, preserving and ornamenting of any ground for a cemetery or cemeteries, owned by the city or acquired by it for that purpose, and for the sale of burial places or lots for the interment of the dead therein; and to accomplish such purpose, to have jurisdiction over such grounds, whether owned by the city or by private persons, if situated within two miles of the city limits. 19th. To regulate the building of party or partnership walls or division fences. 20th. To regulate the running of street railway cars, or cars propelled by steam engines, cables, electricity, or other power; to regulate the rates of speed of all trains, street cars or other vehicles through the streets and public places of the city, and to require railway and street car companies to construct, at their own expense, such approaches, bridges, tunnels, and other conveniences at public crossings, and to put such crossings and streets in such condition and state of repair as not to interfere with the free, safe and proper use thereof. 21st. To license and regulate billiard tables, bowling alleys, and other places of public amusement and resort. 22d. To license, restrain, and regulate the selling or giving away of intoxicating, spirituous, vinous, malt, and mixed liquors, within the city; *Provided*, that the annual license fee, in addition to all State and county license fees for the privilege of selling such liquors in said city shall be not less than five hundred (\$500.00) dollars, for each room, inn, tavern, hotel or other place so licensed, and each license shall particularly designate and describe the room in which such bar is to be kept, and shall provide that such sales shall be made only between the hours of six A.M. and eleven P.M.; and, *Provided*, further, that all persons holding licenses issued by said city, licensing them to sell such liquors in less quantites than a quart at a time, shall provide for the sale of such liquors in a room separate from any other business of any kind, and no devices for amusement, games or music of any kind or character, or partitions of any character, or wine rooms, or tables, or chairs, or door screens, or blinds, or stained, painted or frosted windows, shall be permitted in such room, and that wines and malt liquors may be served at meals in licensed inns or taverns; but, *Provided*, further, that

Cemeteries.

Street rail-
ways.

License of
liquor,
games,
etc.

no license shall be granted to any inn, tavern, or hotel, having in it fewer than twenty different rooms of average floor surface of 120 square feet per room, and none of said rooms of less than 60 square feet of floor surface, and being used for other than regular hotel business; and, *Provided*, further, that the said city council may exclude such sales from the suburbs or residence portion of said city and confine the places where such sales may be made to the business portion of said city of LaFollette; and shall confine the places where such sales may be made (except in licensed inns or hotels) to portions of said city at least four hundred (400) feet from any church building or public school building.

It may revoke the license of any person or persons violating any of the foregoing provisions.

23d. To regulate the construction of new buildings within said city, and especially of buildings of public character, such as theaters, hotels, churches, public halls, etc., in the matters of suitable fire escapes, the number, location, and construction of exits, doors and stairways, and such other regulations as may be deemed expedient; and shall keep a record of all buildings constructed therein, and, by proper ordinance, require the issue and registration of buildings permits for all buildings erected therein.

24th. To divide, and, from time to time, redivide the city into five wards, in such a manner as to equalize, as nearly as possible, the population of the several wards, and, for said purpose, to provide for periodical enumerations of the inhabitants of the city.

25th. To prepare and have published a digest or compilation of all the ordinances and resolutions of a public nature in force, within three months after the passage of this Act, and a like digest or compilation thereafter as often as may be needed.

26th. To contract for the loan of any sum or sums of money on such terms as the same can be borrowed; and to pledge the city in its corporate capacity, and the faith of said corporation, for the payment, principal and interest, of any sum of money so borrowed, in the time and manner specified in the contract; and that, for such purpose, it shall be lawful for the city of LaFollette to issue coupon bonds, in the manner and under the restrictions that may be provided by the city council, not to exceed in the aggregate a sum which, taken with any debt of the corporation then existing, and not provided for by prior assessment of taxes, shall equal ten per cent. of the value of the property subject to taxation by the corporation, as shown by the assessment next preceding the issuance of said bonds; and further, *Provided*, that said bonds

Digest of ordinances.

May issue bonds.

or their proceeds shall be used solely for improving the streets or other public grounds, providing school buildings and fixtures, and for school, park, and other corporate purposes. 27th. To pass all ordinances not contrary to the constitution and laws of the State, that may be necessary to carry out the full intent and meaning of this Act, and to accomplish the objects of this corporation.

Sec. 10. There shall be, and are hereby constituted, ^{Administrative boards.} the four following ex-officio city administrative boards, to-wit: City Police Board, City Fire Board, City Board of Public Improvements, City Health Board. The organization and duties of the said boards shall be as follows: 1st. The Police Board shall consist of the Mayor, ^{Police board.} city marshal, or chief of police, and the president of the city council. It shall be the duty of such board to establish rules and regulations for the government of the police force of the city; to employ deputy city marshals, or policemen, in accordance with the city ordinances upon the recommendation of the city marshal, or chief of police, and to perform such other duties as may be, by ordinance, provided. 2d. The Fire Board ^{Fire board.} shall consist of the Mayor, city engineer, and fire chief. It shall be the duty of such board to establish rules and regulations for the government of the fire department of the city; to employ firemen, in accordance with city ordinance, upon recommendation of the fire chief, and to perform such other duties as may be, by ordinance, provided. 3d. The Board of Public Improvement shall ^{Board of public improvement.} consist of the Mayor, city engineer, and the president of the city council. It shall be the duty of said board to direct and supervise the construction and alteration of public buildings, and improvements of all kinds; to receive proper reports, at stated times, from the city engineer as to the progress and condition of such construction, improvements, and the condition of public grounds and buildings; to establish such rules and regulations, under proper ordinance, as to secure the proper care and conduct of all matters coming under the supervision of said board; and to perform such other duties as may be by ordinance provided. 4th. The City Health Board shall consist of the Mayor, city health officer, president of the city council, city marshal, and city engineer. The said board shall make such rules and regulations, not inconsistent with the law and the ordinances of the city, as it may deem necessary for the preservation of public health, for the suppression of malignant or contagious diseases or epidemics which may have ^{City health board.} Digitized by Google

peared in the city, and for the government and regulation of city hospitals that may be erected. The city health officer shall be the executive officer of said board, and it shall be his special duty to look to the abatement of nuisances, and to proper maintenance, from point of health of all public and private property of said city. He shall make periodical reports to said board, shall carry out its orders, rules, and regulations, with the assistance of the city marshal, and other members of the police force, in accordance with the regulations of said board and such ordinances as may be enacted.

**Separate
school dis-
trict.**

Sec. 11. The city of LaFollette is hereby created a separate school district. The common schools in said city shall be managed and controlled by a Board of School Directors, composed of three persons, qualified under the school laws of the State of Tennessee, to act as district school directors. At the first election held hereunder there shall be elected from the city at large one of said directors for a term of two years, one for a term of four years, and one for a term of six years, and every two years thereafter, at an election separate from all other elections; one director shall be elected to fill the vacancy caused by the expiration of the time of the director retiring. In case a vacancy shall occur in said board from removal or other cause, the remaining members of said board shall appoint a properly qualified person to fill such vacancy until the next election. The said Board of School Directors shall, at its first meeting, organize as a board and shall appoint one of its number chairman of said board, who shall hold the office of chairman of said board for one year and until his successor is appointed. The said board shall, at its first meeting, appoint one of its members to be clerk of said board, who shall hold his office for one year and until his successor is appointed. He shall keep a record of all the proceedings of said board. All papers and proceedings emanating from said board shall be signed by the chairman and clerk thereof, and they shall sign all orders drawn upon the treasurer. All process against said school district shall be served upon the chairman of said board, and the city treasurer shall be treasurer of said board, and shall have power to receive from the State and county officers all school moneys to which the district may from time to time become entitled. The said board shall have all the powers and perform all the duties now or hereafter required by the laws of the State of district directors and district clerks. The

said board, by the name and style of "The Board of Directors of the City of LaFollette School District," shall be a body corporate, with power to sue, and be sued, contract and be contracted with, and to take and hold real and personal property for school purposes, and sell and convey the same when for the best advantage of the schools of the city. The said board shall have power, under proper city ordinances and subject to its own regulations for the use and protection thereof, to supply free school books, to be used exclusively within the city school buildings by the pupils thereof. Whenever the public school funds, payable to the "City of LaFollette School District," shall be insufficient to provide the amount necessary for the payment of teachers' wages, and the current expenses of maintaining the public schools in said city, the Board of School Directors may certify that fact to the city council, together with an estimate of what amount will be necessary to meet the deficiency therein for the ensuing year; *Provided*, that said sum shall not require a tax exceeding the rate levied by the State for State purposes; then the city council shall levy and collect the amount of such estimate as is provided for the levy and collection of other taxes for city purposes. Whenever the Board of School Directors of the city of LaFollette shall desire to raise money for building school houses or improving or repairing the same, they shall report to the city council the amount of money required, the purposes for which it is wanted, and the city council shall then, by ordinance, provide for submitting the question of whether such amount shall be raised by taxation to the qualified voters of the city, and if three-fourths of the qualified voters of the city voting at such election shall vote for raising such sum by taxation, then the tax shall be levied and collected, at the times, in the manner, and on the conditions named in the propositions voted upon. The general laws of the State in regard to common schools shall apply to the city of LaFollette, so far as the said [laws] are not modified herein, and the said district shall not be entitled to all sums of money for the public school funds that it would be entitled to receive if the district were organized under the general laws of the State.

Sec. 12. All officers of the said city of LaFollette, before entering upon the duties of their respective offices, shall execute to the satisfaction of the Mayor and the president of the city council such bonds, conditioned for the proper and lawful conduct of their respective of- Bonds of officers.

fices, as may be required by city ordinance; *Provided*, that the bonds of the city treasurer and other city officials shall exceed in amount the largest aggregate amount of money expected to be in their respective hands as such officers at any one time during the period of his service. All of said bonds shall be deposited with the Mayor of the city. All salaries shall be regulated by city ordinance; *Provided*, that for the fiscal year 1897-98, the salary of the Mayor shall not exceed three hundred dollars; the salary of the city clerk shall not exceed three hundred dollars; the salary of the city treasurer shall not exceed two hundred dollars, and the salary of the aldermen, composing the city council, shall not exceed twenty-five dollars each, except that the president of said council shall receive twice the amount of salary paid the other members of the said council. No officer of said city shall receive any official fees; but all fees provided by statute or ordinance shall be paid into the city treasury. No salary shall be paid any of the officers of said city until the same be established by proper ordinance.

Election.

Sec. 13. The first election held hereunder shall be conducted upon June 1, 1897, by the sheriff of Campbell county, Tennessee, who may call to his assistance five resident free holders of the city of LaFollette, three of whom shall act as judges, and two as clerks of said election, who shall conduct said election as is now provided by law for holding elections for State officers, so far as the same is applicable, and a majority of said judges shall canvass the vote immediately after such election, and give certificates of election to such persons as the canvass shall show duly elected. The manner of holding the subsequent elections hereunder shall be prescribed by ordinance, and the city council shall canvass the vote on the first Wednesday succeeding any election of city officers held under or in pursuance of this Act, and shall, by resolution, declare the result thereof, and shall cause a certificate of election, signed by the city clerk, under the seal of the corporation, to be issued to the persons having been elected. All persons who are qualified voters under the general municipal laws of the State, shall be qualified voters under this Act; *Provided*, that at the first election to be held hereunder, all persons who would be qualified voters had they been citizens of the State of Tennessee for the required time, and shall have been residents of the territory hereby included in the city of LaFollette for sixty days next preceding said election, shall be en-

Qualifications
of voters.

titled to vote thereat. The election laws of the State in relation to election precincts in cities, registration and the punishment of election frauds shall apply to the elections held under this Act, and all such elections shall be by ballot, and be conducted as nearly as may be in conformity with the statutes regulating general elections applicable to cities having a population of over nine thousand inhabitants; and the city council shall prescribe by ordinance all regulations necessary to carry into effect the provisions of this section. If the election of any officer shall fail in consequence of an equal number of votes having been cast for two or more persons for the same office, the city council shall cast lots among the persons so voted for, in such manner as it may prescribe, by resolution, and the person who shall be successful according to the terms of such resolution in the casting of lots shall be declared elected. If the election of any city officer shall be contested, the contest shall be heard and determined by the city council under such rules as the said council shall have previously established for such hearing. If there shall occur a vacancy in the city council the Mayor may, by and with the consent of the majority of the members thereof, fill such vacancy by appointment, and the person so appointed shall hold such office until the next general city election. All vacancies in other offices herein provided to be filled by election, shall be filled by the city council. Every city officer, both elected and appointed, shall have been a resident within said city for ninety days, previous to his election or appointment, and shall reside within the city, during his term of office. In case any such officer shall be found to have been ineligible at the time of his election or appointment, or shall cease to reside in the city, his office shall thereupon and hereby become vacant and shall be so declared by the city council.

Mayor may
appoint to
fill vacancies.

Sec. 14. The LaFollette Land and Improvement ^{Franchises.} Company shall have, hold, and possess, for a period of thirty years, following the acceptance of this charter by a majority of the voters as provided in Section 16, the exclusive franchises and privileges within and for said City of LaFollette for the supply to said city and the inhabitants thereof, for public, commercial and private purposes, of water, by and through the medium of a general system of water works, of illuminating and fuel gas, by a general system of manufacture, distribution, and supply of same, including the distribution of natural and oil gas; of electric lighting by the es-

tablishment of a general system for public, commercial, and private lighting; and of electric and other traction system, for the establishment, maintenance, and operation of street car system in said city and its suburbs; and for the purpose of the proper establishment and operation of the same shall be granted the use of the streets, alleys, avenues, and other public grounds of the said city, subject to all removable regulations of the city council for the proper preservation and ornamentation of such public grounds; *Provided*, that nothing in this section shall be construed to limit the individual right of any citizen to establish and maintain for his own use any kind of gas, water, or illuminating supply.

Limited to
thirty years.

Sec. 15. All franchises or privileges granted by the said city of LaFollette to corporations or individuals shall be limited to a period of thirty years or less from the granting of the same and the city council may, at its own discretion, enter into contracts for the public supply of gas, water, and electric lights, for the full period of any franchise granted by this Act or by said council, for any part thereof.

This act a
public law.

Sec. 16. This Act is hereby declared to be a public Act, and may be read in evidence in all courts of law and equity in this State without proof.

Condition un-
der which
act goes into
effect.

Sec. 17. This Act shall go into effect and be in force from and after its passage, the public welfare requiring it, to the extent that it is hereby made the duty of the sheriff of Campbell County, in person or by one if his deputies, on the 1st day of June, 1897, at some public place within the corporate boundaries, defined in Section 2 of this Act, to hold an election at which all persons qualified to vote at the first election, as provided in Section 13 of this Act, shall be entitled to vote. It shall be the duty of the said sheriff to give ten days' previous notice of said election, by proper printed notices published within said boundaries. At said election the question shall be voted upon of whether this charter shall be accepted or not; and those of said voters who favor the acceptance of this charter shall deposit their ballot, reading, "For Charter," and those who oppose the acceptance of this charter shall deposit their ballot, reading, "Against Charter;" and if a majority of such voters shall vote in favor of the acceptance of this charter, then this Act, from and after the canvassing of said returns, and certifying the result

thereof to the county judge, or chairman of the county court of the said county of Campbell, and State of Tennessee, shall go into, and be in full force and effect.

Passed March 13, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 162.

[HOUSE BILL NO. 656.]

AN ACT to authorize the Board of Mayor and Aldermen of the town of Rogersville, in the County of Hawkins, State of Tennessee, to issue and sell coupon bonds of said town in a sum not to exceed fifteen thousand dollars, the proceeds hereon to be applied to the construction and equipment of water works for said town, and to provide for the management of such water works.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Board of Mayor and Aldermen of the "Town of Rogersville," in Hawkins County, Tennessee, be and they are hereby authorized and empowered in their corporate capacity to issue and sell coupon bonds of said town, bearing interest at the rate of six per cent. per annum, payable at the office of the treasurer of said town, in said town, semi-annually, on the fifteenth day of January and July of each year, in a sum not to exceed fifteen thousand dollars (\$15,000), the proceeds of the sale of such bonds to be applied to the construction of a system of water works for said town, including the acquisition of such water privileges, rights of way, and real estate as may be found necessary for the proper construction and utility of such water works.

Power to issue bonds.

Election.

Sec. 2. *Be it further enacted*, That before such bonds shall be issued, said Board of Mayor and Aldermen, shall, by ordinance, order an election to ascertain the wishes of the voters of said town on the subject of issuing such bonds. Such elections shall be advertised by the chief marshal of the town by printed posters, for at least thirty days before the day of holding same. It shall be held at the usual place of holding corporation elections by said chief marshal. All persons entitled to vote for Mayor and Aldermen of said town shall be entitled to vote in said election. Those favoring the issuance of such bonds shall have written or printed on their ticket the words, "For Bonds." Those opposed shall have written or printed on their ticket the words, "Against Bonds." Said chief marshal, together with the judges and clerks of said election, shall certify the result thereof to the Board of Mayor and Aldermen of said town at its regular meeting next following the date of such election. If it shall appear that at said election as many as two-thirds of those voting voted for bonds, then said board shall have power and authority to issue said bonds. But if less than two-thirds of those voting at said election vote for bonds, then said board shall not have authority to issue said bonds.

Denominations, etc.

Sec. 3. *Be it further enacted*, That such bonds shall be of the denominations of \$100, \$500, and \$1,000, or either of said denominations, to be determined by said Board of Mayor and Aldermen. It shall be shown on the face of said bonds that they are Rogersville water works bonds. It shall be recited on the face of said bonds that they are issued under the authority of this Act, which shall be referred to by date of approval and chapter. Such bonds shall, in all other respects, be in the usual form of bonds of like character, and shall be signed by the Mayor and Recorder, under the seal of the corporation. The principal thereof shall be payable at any time after the end of ten years, or may run thirty years at the option of said Board of Mayor and Aldermen of Rogersville.

Options.

Sec. 4. *Be it further enacted*, That before the election provided for in Section 11 of this Act shall be ordered or held, said Board of Mayor and Aldermen shall secure proper option on water privileges, rights of way, and needed real estate, and shall cause needed surveys to be made by a competent engineer and estimate of the cost of all needed machinery, material, and cost of construction, the probable cost of all of which shall be published before said election in some newspaper published in said town, and a copy of such publication shall

be preserved among the records of the corporation; but this section shall be held to be directory and not mandatory.

Sec. 5. *Be it further enacted,* That before such bonds are placed upon the market, the Mayor shall nominate three water works commissioners for said town, one to serve for one year, one for two years, and one for three years from the date of their qualification, and at the end of each subject to confirmation by the aldermen. A year thereafter said Mayor shall nominate one water works commissioner to take the place of the one whose term expires, subject to the confirmation of the aldermen. Said Board of Mayor and Aldermen shall, before nominating such commissioners, fix their salaries, which may be changed at the end of any entire year; and shall provide for such bonds from said commissioners for the faithful discharge of their duties as they shall deem suitable. Such commissioners shall be residents within the corporate limits of said town, and owners in their own right each of not less than \$1,000 worth of real estate in said town. No person holding any other office pertaining to said town shall be eligible as such commissioner. Before entering upon their duties, said commissioners shall take and subscribe an oath for the faithful discharge of their duties, and to render true and faithful accounts of all moneys and property that may come into their hands as such commissioners.

Sec. 6. *Be it further enacted,* That it shall be the duty of said commissioners, so first elected to take charge of the bonds herein provided for, and place the same upon the market and sell such amount thereof as shall be found necessary to construct and equip the water works for the town. They shall enter into all necessary contracts for the construction and equipment of said water works, including the engineering work. The proceeds of the sale of bonds so made by them, if sold for cash, shall be passed to the treasurer of said corporation, to be held by him as a separate fund to be paid out by him upon the proper order of the chairman of said water works commissioners. But said commissioners may sell said bonds or any part thereof, in payment for machinery, material, or anything necessary to be used or done in the construction of said water works, but said bonds shall not be sold for less than their par or face value. Said commissioners first shall locate, through their engineers, the lines of main and other pipes, the fire plugs, and public fountains, and shall have all needed power and authority to construct and complete said system of water works, ac-

Water-works
commission-
ers.

Powers and
duties of com-
missioners.

cording to the meaning and intent of this Act. They shall make written report of all their transactions at the end of each three months, from the date of their election to the Board of Mayor and Aldermen. Any of said commissioners may be removed from office and his place declared vacant by the Board of Mayor and Aldermen, upon proof of malfeasance or misfeasance in said office, in which event the place of such commissioner shall be filled for the unexpired term by said Board of Mayor and Aldermen.

Further powers of commissioners.

Sec. 7. *Be it further enacted,* That after the completion of said system of water works, said commissioners shall have charge and supervision thereof, and shall have power to make contracts necessary to the operation thereof, and, through their secretary, shall collect all water rates, and turn the same over to the treasurer of said town, to be kept by him as a separate fund to be applied to the operation of said water works, and any surplus above such operating expenses to be applied exclusively to the payment of the interest and principal of the bonds herein provided for, until the same shall be entirely liquidated.

Rates.

Sec. 8. *Be it further enacted,* That said commissioners shall fix the rates at which all persons using water from the water works shall be charged for the same. They shall elect one of their number as chairman and one as secretary. A majority of these shall constitute a quorum. All matters to be determined by them shall be determined by a majority vote. Said commissioners shall keep a record of their transactions in properly prepared, bound books, which shall be kept subject to inspection by any and all citizens of Rogersville on demand.

Tax.

Sec. 9. *Be it further enacted,* That it shall be the duty of the Board of Mayor and Aldermen to levy, each year, a tax, to be known as the "Water Works Bond Tax," sufficient with the earnings or income of said water works, to meet the accruing interest on the bonds herein provided for, and also a sinking fund of one hundred and fifty dollars per annum to meet the principal of said bonds at maturity, which sinking fund shall be placed in the hands of the sinking fund commissioners of said town, to be by them loaned at interest, compounded annually, as now provided by law for other sinking funds; but if less than fifteen thousand dollars of the bonds herein provided for shall be issued, then said Board of Mayor and Aldermen shall provide a sinking fund proportionately less than one

hundred and fifty dollars, so as to provide the necessary sinking fund.

Sec. 10. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 163.

[SENATE BILL NO. 238.]

AN ACT for the relief of Harrow School, in Claiborne County.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the property of Hartow School, an incorporated institution of learning, having its office and principal place of business in Claiborne County, be relieved of the payment of the State's proportion of taxes, upon the property of said corporation amounting, in the aggregate including State, county, road, and school taxes, to the sum of \$21.00 for the year 1893, and costs of tax sale, which taxes accrued previous to the date of the purchase of said property by said corporation, and the State hereby releases all title, legal and equitable, vested in it to the said real estate sold for taxes.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 164.

[SENATE BILL NO. 359.]

AN ACT to change the line dividing the counties of Wayne and Lewis, so as to detach a portion of the lands and citizens now in the Sixth Civil District of Wayne County and attach the same to Lewis County.

Change of line Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Wayne and Lewis be and the same is hereby so changed as to detach all of that part of Wayne County with all its property and citizens embraced in the calls below, being a portion of the sixth civil district of Wayne County, and attach the same to Lewis County.

Sec. 2. *Be it further enacted,* That the following shall be the line between the counties of Wayne and Lewis by which said land above referred to shall be detached from Wayne County and attached to Lewis County, to-wit: Begins at a stake where Thos. Voorhies' line crosses the Wayne and Lewis County line; thence with his line north 87° , west 50 poles to his southern southwest corner; thence north 3° , east his line 90 poles to a white oak with chestnut and oak pointer his corner; thence north 87° , west his line 62 poles to a chestnut oak his corner; thence north his line 172 poles to a hickory, the Buffalo Iron Company's corner; thence north 87° , west their line passing their corner in all 995 poles to a stake in Robinett creek, Jones Reeves' corner; thence north 3° , east his line 60 poles to a large poplar his corner; thence north 87° , west his line 160 poles to a gum stump his corner; thence north 70° , west 92 poles to a set stone; thence north 3° , east 480 poles to the county line between Wayne and Lewis Counties.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 165.

[HOUSE BILL NO. 114.]

AN ACT for the payment of the reward offered for the capture of Frank Johnson.

Whereas, Frank Johnson committed the crime of ^{Payment of reward.} murder in the county of Maury, on the 1st day of August, 1896, and while he was at large a reward of one hundred dollars was, on the 8th day of August, 1896, offered by the Governor for his capture and conviction, and,

Whereas, said Frank Johnson was captured by John A. Crowe and John Latta in Rutherford County, Tennessee, on the 11th day of August, 1896, and convicted and executed for said crime, on the 27th day of November, 1896; therefore

Be it enacted by the General Assembly of the State of Tennessee, That the sum of fifty dollars be and the same is hereby appropriated out of any money in the Treasury of the State for the payment of said reward of fifty dollars to John A. Crowe and John Latta, and that the Comptroller is directed to issue them a warrant for the same.

Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 9, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 166.

[HOUSE BILL NO. 708.]

AN ACT to change the line between the counties of Putnam and Smith.

Change of line Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Putnam and Smith be so changed as to include all the lands of John W. Watts within Smith County, to-wit: Beginning on a stone running east 180 poles to a stone; thence west with a conditional line south 34° , 26 poles to a chestnut; south 20° , west 10 poles to a chestnut; thence south 40° , west 9 poles to a poplar, south 10 poles to a maple and beech, south 44° , east 26 poles to a locust; thence south 17° , west 7 poles to a chestnut oak; thence south 35° , west 8 poles to a beech; thence west 20 poles to a beech; thence south 2° , west 18 poles to a beech; thence south 11° , west 36 poles to a buckeye and hickory, $9\frac{1}{2}^{\circ}$, west 36 poles to two chestnut oaks; north 53° , west 20 poles to a chestnut; north 48° , west 24 poles to a Spanish oak; thence north 10° , east 18 poles to a chestnut oak; north 24° , west 29 poles to a stake, west 91 poles to a stone; thence north passed a beech corner at 66 poles, in all 80, to the beginning.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 9, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 167.

[HOUSE BILL NO. 651.]

AN ACT to authorize Crockett County to issue bonds for the purpose of funding its indebtedness, and provide the manner of issuing the same.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county of Crockett, through the quarterly county court, be and is hereby authorized and empowered to issue bonds of the county for the purpose of funding its county indebtedness, not exceeding the sum of twenty thousand (\$20,000.00) dollars, bearing interest at the rate of not exceeding six per cent. per annum, payable annually as said county court may direct, and said bonds to be payable in from one to twenty years from the date thereof, as said county court may order and direct. Power to issue bonds.

Sec. 2. *Be it further enacted,* That the county court shall create and elect a funding board, consisting of three citizens of the county, of which the chairman of the county court shall be a member. It shall be the duty of said board to call in all warrants and other outstanding indebtedness of the county, which the quarterly county court may direct, and issue bonds therefor according as the court may direct, and shall receive such compensation for their services as the court may allow. They shall make a public call for all such outstanding indebtedness at least four times in at least two newspapers, published in the county, and at the expiration of twenty days after the last call, interest shall cease on all outstanding indebtedness called for by said board and not turned in to them. They shall give bond in the sum of eight thousand dollars each, conditioned upon the faithful discharge of their duty as laid down by the court, and shall give a receipt for all indebtedness turned in to them. Funding Board.

Sec. 3. *Be it further enacted,* That said bonds shall be signed by the chairman of the county court of Crockett County and countersigned by the clerk of said court with his official seal affixed to the same; they shall be in such denomination and series and run for such time as the quarterly county court may direct, and shall be numbered in the order of issuance, beginning with number one. Denominations, etc.

Interest coupons.

Sec. 4. *Be it further enacted*, That each of said bonds shall have attached to it interest coupons, showing the amount of each annual installment of interest on said bonds, and when the same shall fall due, which coupons shall be signed in the same manner as the bonds, but without the official seal of the clerk, and showing on their face the number and series of the bond to which they are attached.

Sinking fund.

Sec. 5. *Be it further enacted*, That it shall be the duty of the county court annually to levy a tax on the taxable property and privileges of said county, for the purpose of paying the annual interest on said bonds, and also for the purpose of creating a sinking fund to pay said bonds when they shall fall due, as hereinbefore provided for, and to enable the court to know what amount to levy; the funding board shall keep a full and complete record of all bonds issued, giving number, amount, and series of each, and also of all bonds redeemed and cancelled. They shall also keep a complete record of indebtedness received and funded, and amount of each, and the source or person from whom received, and all other items necessary to keep a full and complete record of same. The trustee of said county shall collect and account for said tax, and keep said money so collected separate and apart from all other taxes collected by him, and he shall receive the same compensation he is allowed by law for collecting county tax. He shall pay the interest coupons on such bonds out of this money as they are presented to him, and keep a record of all such coupons paid by him. The coupons on the bonds herein provided for shall become due annually, and when due shall be receivable in payment for all county taxes except the sinking fund tax hereinbefore provided for.

Funding board to sell at par.

Sec. 6. *Be it further enacted*, That when said bonds are issued they may be sold by the funding board but not for less than their face value or exchanged by them for indebtedness called in and funded. When coupons or bonds are redeemed by the trustee he shall have credit for the same upon settlement with the chairman of the county court, and the number and amount being recorded by the clerk, the chairman of the county court shall, in the presence of the clerk and of the trustee, immediately and effectually cancel them, and then file and preserve the same after cancellation.

Sec. 7. *Be it further enacted*, That this Act take ef-

fect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

MORGAN C. FITZPATRICK;
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 168.

[HOUSE BILL NO. 453.]

AN ACT to change the line between Loudon and McMinn counties.

Section 1. *Be it enacted by the General Assembly of* ^{Change of line} *the State of Tennessee,* That the line between the counties of Loudon and McMinn be so changed as to include all the land of J. L. Green in Loudon County.

Sec. 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 169.

[HOUSE BILL NO. 454.]

AN ACT to change the line between Loudon and Monroe counties.

Change of line Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between Loudon and Monroe Counties be so changed as to include all the lands of Byrum Johnson in Loudon County.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring.

Passed March 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

CHAPTER 170.

[HOUSE BILL NO. 712.]

AN ACT to create a district for the election of a Justice of the peace and constable for the town of Hillham, in the 3rd civil district of Overton County.

District for the
election of a
justice of the
peace and con-
stable.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That a district for the election of one justice of the peace and one constable including the town of Hillham, in the third civil district of Overton County, be enacted and created out of the territory embraced within the following boundary, to-wit: Beginning on a stake in the Hillham and Celina road, south 37 poles, west 240 poles to a stake in the Hillham and Gainesboro road; then south 41° , east 132 poles to a stake; then north $27\frac{1}{2}^{\circ}$, east 173 poles to a stake in Hillham and Livingston road; then north 43° , west 238 poles to the place of beginning.

Election.

Sec. 2. *Be it further enacted,* That the sheriff of Overton County shall, after the passage of this Act, after giving the notice required by law, proceed to open and

hold an election in said district for one justice of the peace and one constable; only qualified voters residing in said district shall vote in said election. Said justice and constable shall hold their office until the next general election held in this State for justices and constables.

Sec. 3. *Be it further enacted*, That the territory embraced in this district shall, for all other purposes than the election of said justice of the peace and constable remain and be part of the third civil district of Overton County.

To be part of
Third Civil
District.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 9, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 171.

[HOUSE BILL NO. 793.]

AN ACT to amend Section 2, Sub-section 9 of Chapter 108 of an Act of the General Assembly of the State of Tennessee amending the charter of the town of Rogersville, Hawkins County, Tennessee, and embracing all of said charter in one act, passed and approved April 7, 1893, so as to authorize and empower said town to establish a system of electric lights and for such purpose(s) to authorize and empower the Mayor and Board of Aldermen of said town to appropriate by ordinance the surplus money arising out of the sale of the Rogersville Water Works bonds.

Charter amendment. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 2 and sub-Section 9 of an Act of the General Assembly of the State of Tennessee, amending the charter of the town of Rogersville, Hawkins County, Tennessee, passed and approved April 7, 1893, be and the same is hereby amended so as to empower and authorize the said town to establish and maintain a system of electric lights.

Power to appropriate surplus moneys. Sec. 2. *Be it further enacted,* That in order that said town may have the benefit of the above amendment, that the Board of Mayor and Aldermen of said town be and they are hereby empowered to appropriate by ordinance the surplus moneys, after discharge of water works liabilities, arising out of the sale of Rogersville water works bonds, for the purpose of establishing and maintaining such system of electric lights, under appropriate ordinance, which said board is hereby authorized and empowered to pass.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 9, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 172.

[HOUSE BILL NO. 283.]

AN ACT to protect game birds, turkey and deer in the counties of Grundy and Van Buren and to define penalty for violation of this act.

Section 1. *Be it enacted by the General Assembly of Game law.
the State of Tennessee,* That it shall be a misdemeanor for any person from any other county to hunt, capture, kill, shoot, wound, or destroy any quail, partridge, wild turkey, or deer in the counties of Grundy and Van-Buren for any purpose.

Sec. 2. *Be it further enacted,* That it shall be a misdemeanor to kill quail at any time on the enclosed lands of another in said counties, without obtaining permission from the owners of said lands.

Sec. 3. *Be it further enacted,* That it shall be a misdemeanor for any person to export from said counties any quail or partridge at any time.

Sec. 4. *Be it further enacted,* That whoever shall violate either of the above sections of this Act shall be punished by a fine of not less than five nor more than ten dollars.

Sec. 5. *Be it further enacted,* That the grand jurors shall have inquisitorial power to send for witnesses and make presentments for violation of this Act without prosecution.

Sec. 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 173.

[HOUSE BILL No. 119.]

AN ACT to authorize Unicoi County to issue bonds for the purpose of building a bridge.

Power to issue bonds. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county of Unicoi, through its quarterly county court, be and the same is hereby authorized and empowered to issue coupon bonds of the county for the purpose of building a bridge across the Nollachucky river in said county, in any sum not to exceed \$5,000, bearing the rate of interest not to exceed five per cent. per annum; bonds to be payable in twenty years from the date thereof, as said county court may order and direct.

Denominations, etc. Sec. 2. *Be it further enacted,* That said bonds shall be signed by the county chairman or judge of Unicoi County and countersigned by the clerk of said county court, with his official seal affixed to the same and to be in denominations of one to five hundred dollars, as the said county court may direct, and be numbered in order of issuance, beginning with one.

Interest coupons. Sec. 3. *Be it further enacted,* That each of said bonds shall have attached to it interest bearing coupons, showing each annual installment of interest on said bonds, when the same shall fall due, and showing on their face the number of the bonds to which they are attached; the coupons shall be signed in the same manner as the bonds but without the official seal of the clerk.

Sinking fund. Sec. 4. *Be it further enacted,* That it shall be the duty of the county court annually to levy a tax on the taxable property and privileges of said county for the purpose of paying the annual interest on said bonds, and for the purpose of creating a sinking fund, to pay said bonds when due; and the county trustee shall collect and account for said tax, and receive the same compensation he is allowed by law for collecting other taxes. The bonds herein provided for shall not be sold for less than par value and when paid off, shall be cancelled by the county judge or chairman.

Sec. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 174.

[HOUSE BILL NO. 207.]

AN ACT to pay Isaac R. Love, of Unicoi County for the arrest of J. Frank Tinker, charged with the murder of Crockett Carter.

Section 1. *Be it enacted by the General Assembly of Award. the State of Tennessee,* That the Comptroller be and is hereby directed to issue his warrant upon the treasurer of the State for one hundred dollars in favor of Isaac R. Love, for the arrest and conviction of J. Frank Tinker, who was charged with the murder of Crockett Carter.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 175.

[HOUSE BILL NO. 69.]

AN ACT to change the line between the counties of Davidson and Rutherford.

Change of line Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Davidson and Rutherford be and the same is so changed as to follow the boundary-line of the farm of K. R. Plummer, including the whole of said farm of about 45 acres in the county of Davidson.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved February 15, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 176.

[HOUSE BILL NO. 25.]

AN ACT to establish the boundary line between the counties of Lake and Obion.

Preamble. Whereas, a commission was appointed by the county courts of the counties of Lake and Obion to survey, fix, and establish the boundary line between said counties in accordance with the constitutional provision and legislative Act creating the county of Lake, as to that part of said boundary not already fixed by an Act of the General Assembly of 1893; and,

Whereas, said commissioners, L. Donaldson, of Lake County, and S. F. Howard, of Obion County, as such commissioners, did survey, mark and establish said line and report to their respective counties; now, therefore,

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the following line, as established by the calls taken from said report, be and the same shall hereby constitute the boundary line between the counties of Lake and Obion in accordance with said report, to-wit: Beginning at a large double leaning willow tree, on the west bank of Broad Slough, it being the beginning corner of the boundary line, established by the Act of the General Assembly of 1893; running thence south 41° , east to station No. 1, on a cypress tree; thence south 41° , east to station No. 2, on a willow tree; thence south 23° , east to station No. 3, on willow; thence south 29° , to station No. 4, on cypress; thence south 21° , east to station No. 5, on cypress, on Shelby Lake; thence south 56° , east to station No. 6, on a cypress on Shelby Lake; thence south 13° , E. to station No. 7, on a cypress on Shelby Lake; thence south 6° , E. to station No. 8, on cypress on Shelby Lake; thence south 3° , east to station No. 9, on a cypress stump on Shelby Lake; thence south 76° , W. to station No. 10, on a maple on the outlet; thence south 72° , W. to station No. 11, on a cypress on lake outlet; thence south 74° , W. to station No. 12; on a cypress on the outlet; thence south 67° , W. to station No. 13, on willow on the outlet; thence south 26° , W. to station No. 14, on a willow; thence south 30° , W. to station No. 15, on a willow; thence south 30° , W. to station No. 16, on a willow; thence south 46° , W. to station No. 17, on a locust at the mouth of Black Bayou; thence south 24° , W. to station No. 18, at Williams' Ferry; thence south 13° , east to station No. 19, on a willow; thence south 18° , east to station No. 20, on a willow; thence south 7° , west to station No. 21, on a willow; thence south 16° , west to station No. 22, on a willow; thence south 18° , west to station No. 23, on a willow; thence south 27° , west to station No. 24, on a willow; thence south 45° , west to station No. 25, on a willow; thence south 8° , west to station No. 26, on a willow; thence south 16° , west to station No. 27, on a willow at Horseford; thence south 4° , east to station No. 28, on a cottonwood; thence south 22° , east to station No. 29, on a willow; thence south 24° , west to station No. 30, on a willow; thence south 40° , west to station No. 31, on a willow; thence south 2° , west to station No. 32, on a willow; thence south 2° , west to station No. 33, on a willow at the Free Bridge; thence south 11° , west to station No. 34, on a willow at the head of Isham Lake; thence south 31° , west to station No. 35, in Isham Lake; thence south 23° , west to sta-

Establishing
line between
Lake and
Obion.

tion No. 36, on a dead cypress in Isham Lake; thence south 18° , west to station No. 37, on a cypress at the mouth of Papa Creek Lake; thence south 18° , west to station No. 38, on a cypress in Isham Lake; thence south 7° , west to station No. 39, on a cypress in Isham Lake; thence south 7° , west to station No. 40, on a cypress at the foot of Isham Lake; thence south 15° , east to station No. 41, on a honey locust; thence south to station No. 42, on a honey locust; thence south 22° , west to station No. 43, on a willow at Long's Bridges; thence south 23° , west to station No. 44, on a cypress; thence south 27° , west to station No. 45, on a honey locust; thence south 6° , east to station No. 46, on a willow on the west side of Stover pond; thence south 2° , west to station No. 47, on a cypress at the foot of Stover's pond; thence south 8° , west to station No. 48, on a cypress; thence south 7° , east to station No. 49, on a cypress; thence south 18° , west to station No. 50, on a cypress; thence south 18° , west to station No. 51, on a cypress at Stone's Ferry; thence south 88° , west to station No. 52, on a cypress; thence south 34° , west to station No. 53, on a cypress; thence south 55° , west to station No. 54, on a cypress; thence south 14° , west to station No. 55, on a cypress; thence south 10° , east to station No. 56, on a cypress at Bridge; thence East to station No. 57, on a dead cypress on the lake outlet; thence south 2° , east to station No. 58, on a cypress at the Free Bridges, near Curtner's Springs; thence south 13° , west to station No. 59, on a sycamore; thence south 11° , west to station No. 60, on a cypress; thence south 5° W. to station No. 61, on a cypress; thence south 11° , west to station No. 62, on an elm at head of Curtner's pond; thence north 45° , west to station No. 63, on a cypress; thence north 19° , west to station No. 64, on a cypress; thence 2° , west to station No. 65, on a cypress; thence north 20° , east to station No. 66, on a cypress; thence north 46° , west to station No. 67, on a cypress; thence south 31° , west to station No. 68, on a cypress at the head of West Curtner's pond; thence south to station No. 69 on a cypress; thence south 25° , west to station No. 70, on a cypress; thence south 40° , west to station No. 71, on a cypress; thence south 33° , west to station No. 72, on a cypress; thence south 46° , west to station No. 73, on a cypress; thence south 9° , west to station No. 74, on a cypress at Shepherd's Ferry; thence south 13° , west to station No. 75, on a cypress; thence south 13° , west to station No. 76, on an ash at the Blue Hole; thence south 15° , west to station No. 77, on a cypress; thence south 9° , east to station No.

78, on a cypress; thence south 26° , west to station No. 79, on a cypress; thence south 42° , west to station No. 80, on an ash; thence south 22° , west to station No. 81, on a cypress; thence south 18° , west to station No. 82, on a willow; thence south 35° , west to station No. 83, on an ash; thence south 65° , west to station No. 84, on a willow; thence south 23° , west to station No. 85, on a cypress; thence south 11° , east to station No. 86, on willow; thence south 26° , west to station No. 87, on a willow; thence south 37° , west to station No. 88, on a willow at the head of Beaver Bend Lake; thence south 62° , west to station No. 89, on a sycamore on the west bank of Beaver Bend Lake; thence south 81° , west to station No. 90, on a willow on the west bank of Beaver Bend Lake; thence south 79° , west to station No. 91, on a dead cypress in Beaver Bend Lake; thence south 58° , west to station No. 92, on a willow, in Beaver Bend Lake; thence south 79° , west to station No. 93, in Beaver Bend Lake; thence south 36° ; west to station No. 94, on a tupalo gum, at the head of Fishtrap Slough; thence south 57° , west to station No. 95, on a willow; thence south 31° , west to station No. 96, on a cypress; thence south 73° , west to station No. 97, on a willow; thence south 82° , west to station No. 98, on a willow; thence south 38° , west to station No. 99, on a cypress at Sandy Ford; thence south 46° , east to station No. 100 on a cottonwood; thence south 28° , east to station No. 101, on a cypress; thence south 12° , east to station No. 102, on a cypress; thence south 10° , east to station No. 103, on a cypress; thence south to station No. 104, on a sycamore; thence south 17° , west to station No. 105, on an ash; thence south 1° , west to station No. 106, on a cypress; thence south 36° , east to station No. 107, on a cypress; thence intersecting the Dyer County line.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 22, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 3, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 177.

[HOUSE BILL NO. 193.]

AN ACT to regulate and restrict shooting, netting and trapping partridges or quail, and regulate the sale of same in Bradley County.

Game law.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be unlawful for any person or persons in the county of Bradley to pursue, kill, or capture, in any manner, to purchase or have in possession, any partridge or quail for the purpose of shipment or transportation for profit out of or from said county.

Sec. 2. *Be it further enacted.* That any person or persons violating any part of Section 1 of this Act shall be guilty of a misdemeanor, and upon conviction in any court having jurisdiction thereof, shall be fined not less than five nor more than fifty dollars for each offense.

Sec. 3. *Be it further enacted,* That nothing in this Act shall be so construed as to prevent any person or persons, owners of land, or by permission any other person or persons from shooting, netting, or trapping or lawfully taking in any other manner, quail or partridges for their own separate use, or for selling same to any other person or persons within the limits of said county.

Sec. 4. *Be it further enacted,* That nothing in this Act shall conflict with any law now in force regulating the time for netting, trapping, or taking partridges or quail in said county.

Sec. 5. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 178.

[HOUSE BILL NO. 324.]

AN ACT to amend the charter of the city of Harriman, Tennessee, being Article 2, Sec. 20 Sub-sec. 3 of an act entitled "An act to incorporate the city of Harriman, Roane County, Tennessee, and to establish a school district therein and support the same by taxation and to provide for an election of officers for said city and school district, and to provide when the act shall go into effect, and for other purposes," the same being Chapter 49, of the Acts of 1891 of the General Assembly of Tennessee.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Article 2, Section 20, sub-Section 3 of an Act, entitled, "An Act to incorporate the city of Harriman, Roane County, Tennessee, and to establish a school district therein and support the same by taxation, and to provide for the election of officers for said city and school districts, and to provide when the Act shall go into effect, and for other purposes." The same being Chapter 49 of the Acts of 1891, be amended to read as follows: To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise keep improved and keep in repair, streets, foot pavements, avenues, lanes, alleys, side walks, drains, and sewers, and to provide for the planting of shade trees upon the streets, avenues and parks or other public grounds and to regulate the same, and to pass all necessary ordinances requiring the owner or owners of lot or lots to construct or reconstruct brick, stone, or plank side walks, foot pavements in front of their property along any street, and if any owner or owners of lot or lots shall fail to comply with the provisions of any ordinance requiring such owner or owners to build or repair said side walks or foot pavements after thirty (30) days' notice, the city may build the same through the agency of the city marshal or street commissioner, or in such manner as the city council may, by ordinance, direct. The city shall pay for the same and the amount so paid shall be a lien on said lot or lots, which may be enforced in any court of competent jurisdiction brought in the name of the city of Harriman.

To incorpo-
rate Harrim-
an.

Sec. 2. *Be it further enacted*, That this Act take effect and be in force from and after its passage, the public welfare requiring it.

Passed March 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 179.

[HOUSE BILL NO. 285.]

AN ACT to create and regulate the office of County Judge for Monroe County.

Providing for county judge of Monroe County. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be elected by the qualified voters of Monroe County a person learned in the law to be styled the county judge of Monroe County, and who shall be the county judge of said county, and who shall be thirty years old, and who shall hold his office a term of eight years from the date of his commission; said person to be a citizen of Monroe County, and a person of good moral character.

Election. Sec. 2. *Be it further enacted,* That the first election for county judge for Monroe County shall be held at the same time and place, and by the same officers that other county elections are held, on the first Thursday in August, 1898, and under the same rules and regulations that are prescribed by law for other county elections and subsequent elections except vacancies which shall be filled when they occur in the manner prescribed by law, on the first Thursday in August, every eight years thereafter.

Rights and powers. Sec. 3. *Be it further enacted,* That the county judge of Monroe County shall have and exercise all the rights, powers, and jurisdiction that are conferred by existing

laws upon the county judges of this State, and shall comply with all the requirements of and shall perform all the duties imposed by law creating and regulating the powers and duties of county judges.

Sec. 4. *Be it further enacted*, That all the powers and jurisdiction now vested in and belonging to the chairman of the county courts of this State be and the same are hereby conferred upon the county judge of Monroe County who is hereafter to be elected by the qualified voters of Monroe County, and the office of chairman of Monroe County is hereby abolished from and after the first Monday in May, 1897.

Sec. 5. *Be it further enacted*, That the county judge of Monroe County shall receive a salary of three hundred (\$300) dollars per annum, to be paid quarterly out of the revenue collected for the years which the services are rendered.

Sec. 6. *Be it further enacted*, That the present chairman of the county court of Monroe County continue to hold the county court of said county until the first Monday in May, 1897, during which time it shall be the duty of the Governor to appoint a judge under this Act and duly commission him to fill out the time from the first Monday in May, 1897, until the regular election in August, 1898.

Sec. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 9, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 180.

[HOUSE BILL NO. 191.]

AN ACT to amend the charter of the town of Huntingdon, Tennessee, so as to empower said town to issue coupon bonds in an amount not to exceed twenty thousand dollars for the purpose of supplying the town with water by putting in artesian wells, and the erection of water works.

Power to issue bonds.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the town of Huntingdon, Tennessee, and Acts amendatory thereto, be and the same are hereby amended so that the Mayor and Aldermen of said town, in their corporate capacity, shall have and they are hereby vested with full power to issue, under the restrictions hereinafter provided, the interest bearing coupon bonds of said town, in an amount not to exceed the sum of \$20,000.00 for all purposes herein contemplated, to be issued and used exclusively for water works plant and artesian wells, for the use and benefit of said town.

May issue in amounts and at times deemed best.

Sec. 2. *Be it further enacted.* That said Mayor and Aldermen under said restrictions shall have power to issue any of said bonds for said purposes, in such amount and at such time and times as they shall deem best.

Sec. 3. *Be it further enacted,* That any and all bonds issued at any time under this Act shall be of such denominations, bear such rate of interest, not to exceed six per cent. per annum, and be due in such time not less than five nor more than twenty-five years from date, and be payable at such times and places as the corporate authorities may determine.

Bonds to be sold at par.

Sec. 4. *Be it further enacted,* That none of the bonds provided for in this Act shall be sold for less than par, and the coupons, when due, shall be receivable for all taxes and dues to the corporation, except the school tax and the sinking fund tax herein provided for the payment of the bonds contemplated by this Act.

Election.

Sec. 5. *Be it further enacted,* That before said Mayor and Aldermen shall issue any of the bonds contemplated by this Act, they shall first order an election of the qualified voters of said town, and prescribe rules and regulations therefor, and shall give notice of said election by publication in some newspaper published in said town, at least once a week, for three successive weeks, or by hand bills publicly posted at five different places, for at least twenty days, specifying in said notice the amount of the bonds proposed to be issued; and if two-thirds of the persons voting at such election are in favor of the proposed improvement, then the said Mayor and Aldermen may issue the bonds accordingly,

to pay for the same, and have the improvement constructed; and said election may be held at any time or as many times for said purpose as the said Mayor and Aldermen may deem necessary.

Sec. 6. *Be it further enacted*, That said Mayor and Aldermen shall each year levy a tax of not less than ten nor more than twenty cents on one hundred dollars, of all taxable property of said town, to pay the interest on said bonds as may be issued hereunder, and to provide the necessary sinking fund to pay or redeem said bonds at or before maturity. The sinking fund to be used exclusively for the purpose levied.

Sec. 7. *Be it further enacted*, That before any of said bonds shall be issued the said Mayor and Aldermen shall elect a Board of three Commissioners, not members of said body, to be known as the sinking fund commissioners, who shall hold office for three years, and until their successors shall have been elected and qualified, and they are to be so elected that one of said commissioners shall be elected for one year, and one for two years, and one for three years and every year thereafter, one shall be elected for three years. Said commissioners shall before entering upon the discharge of their duties, take an oath before a qualified officer, faithfully to discharge their duties, and shall give bond in such sum, and otherwise qualify themselves and receive such compensation, as by ordinance of the corporation, shall be prescribed and provided. Said commissioners shall receive from the collector of taxes all the sinking fund tax, and shall invest the same from time to time in the bonds of the corporation here contemplated, and make settlements of their accounts in such manner and with such persons as the corporation may, by ordinance, direct; *Provided*, however, that whenever such bond of the town is purchased or invested by the commissioners, they shall cancel the same in the presence of the Board of Mayor and Aldermen in such manner as may be determined by ordinance.

Sec. 8. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 181.

[HOUSE BILL No. 489.]

AN ACT making it unlawful to hunt or fish upon the enclosed land of another in Gibson county and Crockett county without the written permission of the owner or his agent, whether said lands be posted or not, and fixing the punishment for the violation of this act.

Game law.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be a misdemeanor for any person to hunt or fish upon the enclosed lands of another situated in Gibson County and Crockett County, Tennessee, without the written permission of the owner thereof or his agent, and it shall not be necessary for said lands to be posted.

Sec. 2. *Be it further enacted,* That any person violating this Act when convicted shall be fined for each offense not less than \$1.00 nor more than \$5.00.

Sec. 3. *Be it further enacted,* That all laws and parts of laws in conflict with the provisions of this Act be and are hereby repealed, this Act taking effect thirty days from and after its passage, the public welfare requiring it.

Passed March 17, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 182.

[HOUSE BILL NO. 179.]

AN ACT to exempt Hickman County from provisions of an Act approved May 10, 1895, Chapter 127 entitled "An act for the protection of fish in the State of Tennessee."

Section 1. *Be it enacted by the General Assembly of Fish law. the State of Tennessee,* That it shall be lawful for the people residing in Hickman County to catch fish in barrel or hoop nets or to kill them with gigs in any of the streams of running water within the limits of the county; *Provided*, that fish shall not be caught or killed in the interval of time between March 15th and May 15th, of each year, after the passage and approval of this Act.

Sec. 2. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and are hereby repealed insomuch as they apply to Hickman County for the benefit of the aforesaid people of said county only, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 183.

[HOUSE BILL NO. 469.]

AN ACT to amend an act entitled, "An act for the protection of fish in the State of Tennessee," the same being chapter 127 of the Acts of 1895.

Fish law. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1 of Chapter 127 of the Acts of 1895 entitled, "An Act to protect fish in the State of Tennessee," be and the same is hereby amended, as follows: *Provided,* that Obion County is excepted from the provisions of said Act in so far as the same prohibits the catching of fish in the ponds, lakes, or streams in said county with nets and traps; *Provided,* further, that such nets or traps are not used so as to prevent the passage of fish up or down such streams.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 26, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 184.

[HOUSE BILL NO. 261.]

AN ACT to legalize the action of the Mayor and Aldermen of the town of Morristown in electing a tax assessor and tax collector for said municipality for 1896.

Whereas, under the provisions of an Act of the General Assembly of the State of Tennessee, passed March 6th, 1890, approved March 10, 1890, being Chapter 12, Section 3 of the Acts of the second session of the Forty-sixth General Assembly of said State, the Mayor and Aldermen of the town of Morristown were vested with power within the corporation to levy, assess, and collect taxes upon property taxable by law for State purposes, and that such assessments may be made by corporation assessors or by the adoption of assessments made by State and county assessors or modifications of the same and the collection may be made by corporation collectors or by the county trustee as may be provided by ordinance of said corporation; and,

Whereas, there is some ambiguity in the Act of said General Assembly, Chapter 120, passed May 13, 1895, approved May 14, 1895, as to whether or not said Mayor and Aldermen have since the passage of the latter Act been vested with authority to elect or appoint a tax assessor for said municipality, under its charter rights and ordinances, notwithstanding which said Mayor and Aldermen did proceed under its charter rights and ordinances to elect a tax assessor and a tax collector for said municipality for the year 1896, which assessor so elected assessed taxes for corporation purposes, and said collector has collected a large proportion of the taxes so assessed; therefore,

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the action of the Mayor and Aldermen of the town of Morristown in electing or appointing a tax assessor and a tax collector for said municipality, for the year 1896, and the action of the assessor and the collector so elected or appointed in assessing and collecting taxes on property within the corporate limits of said town for municipal purposes for said year 1896, be and the same is hereby legalized, made binding and valid.

Legalizing action of mayor and aldermen of Morristown.

Sec. 2. *Be it further enacted,* That all laws and parts of laws in conflict with the foregoing section be and the same are hereby repealed.

Sec. 3. *Be it further enacted*, That this Act take effect from its passage, the public welfare requiring it.
Passed February 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 185.

[HOUSE BILL NO. 5.]

AN ACT to amend an act entitled "An act to reduce the acts incorporating the City of Knoxville, and the various amendments thereto, to one act and to amend the same," passed and approved June 10, 1885, by conferring upon the Board of Mayor and Aldermen in the city of Knoxville the right to collect through the city comptroller the privilege taxes due said Board from wholesale and from retail liquor dealers.

Power of mayor and aldermen of Knoxville to collect privilege tax. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That from and after the passage of this Act the Board of Mayor and Aldermen of the city of Knoxville shall have the right and the power to collect privilege taxes upon the privileges of selling liquor by wholesale or by retail in said city, the collections to be made through the city Comptroller, said city Comptroller being hereby authorized and required to accept and enforce the bond provided for by Code, Section six hundred and ninety one (691) and to perform all other duties, and to have all other powers imposed upon or granted to the clerks of the county courts of the State by Section six hundred and ninety one (691) and six hundred and ninety-six (696) of the Code, and all other statutes of the State regulating the levy and collection of privilege taxes from wholesale and from retail liquor dealers; *Provided*, that the said Comptroller shall act solely for the said Board of

Mayor and Aldermen, and not for the State of Tennessee or the county of Knox.

Sec. 2. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed January 14, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved January 15, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 186.

[HOUSE BILL NO. 549.]

AN ACT to authorize the Mayor and Aldermen of Newbern to issue bonds to pay for and extend the water, light and power plant and school property of Newbern and for the general improvement of the streets and sewerage of the town of Newburn.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the passage of this Act it shall be lawful for the Board of Mayor and Aldermen of Newbern to issue coupon bonds in the manner and under the restrictions hereinafter provided not to exceed the sum of twenty thousand dollars; *Provided*, said bonds or their proceeds shall be used exclusively for the purpose of paying for and extending the water, light, power plant and school property of Newbern, and for the general improvements of the streets and sewerage of the town of Newbern. Twelve thousand dollars of said coupon bonds to be used for paying for and extending the water, light, and power plant of Newbern; three thousand dollars of said coupon bonds shall be used for purchasing and improving school property of Newbern; five thousand dollars of said coupon bonds to be used for the improvement of the streets and sewerage of said town of Newbern, in such manner and places as may be determined upon by the corporate authorities of said town of Newbern and in accordance with its charter provisions for the making of all public improvements therein.

Power to issue bonds.

Denominations, interest, etc.

Sec. 2. *Be it further enacted*, That all bonds issued under this Act shall be of such denominations, bear such rate of interest not exceeding six per cent. per annum, and due in such time not less than five nor more than thirty years from date, and be payable at such time and places as the corporate authorities may determine.

Bonds to be sold at par.

Sec. 3. *Be it further enacted*, That the bonds provided for in this Act shall in no case be sold for less than par and the coupons attached shall, at maturity, be receivable for all taxes and dues to the corporation, except the sinking fund tax, provided for by the following section and the school tax.

Sinking fund.

Sec. 4. *Be it further enacted*, That before any bonds shall be issued hereunder the corporation shall provide, by ordinance, for a sinking fund wherewith to retire the bonds by levying a special tax, same to be designated the Sinking Fund Tax, this tax to run with the bonds and to be collected annually and used exclusively for the purposes levied and to be sufficient with its accumulations as near as may be estimated to meet or retire the principal indebtedness by its maturity.

Commissioners.

Sec. 5. *Be it further enacted*, That said corporation, before issuing any bonds under this Act, shall appoint or select by ballot three persons, citizens, who shall be known as Sinking Fund Commissioners, who shall hold office for three years until their successors shall be elected and qualified, and to be so elected that one of said commissioners shall be elected for one year, one for two years, and one for three years, and every year thereafter, and shall be elected to serve three years.

To take oath and make bond.

Sec. 6. *Be it further enacted*, That said commissioners shall take an oath before any person authorized to administer oaths in judicial proceedings, faithfully to discharge their duties, and shall give bond in such sum and otherwise qualify themselves and receive such compensation as the ordinance of the corporation may prescribe and provide.

Duties of commissioners.

Sec. 7. *Be it further enacted*, That said commissioners shall receive from the collector of taxes all sinking fund taxes and shall invest the same from time to time in the bonds of the corporation, and make settlement of their accounts in such manner and with such persons as the corporation may, by ordinance, direct; *Provided*, however, that whenever such bond of the town of Newbern is purchased or invested in by said commissioners, they shall cancel the same in the presence of the Mayor and Aldermen or the town council in such manner as may be determined by ordinance.

Sec. 8. *Be it further enacted*, That the said bonds shall not be issued or used unless so ordered by a vote of a majority of all the qualified voters of the town of Newbern, at an election to be held by order of the Board of Mayor and Aldermen, at any time and as many times as the Mayor and Aldermen may deem necessary.

Bonds not to issue until election is held.
Sec. 9. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 1, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 187.

[HOUSE BILL No. 60.]

AN ACT to extend the limits of the corporation of the town of McMinnville.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,,* That the corporate limits of the town of McMinnville be extended as follows: Beginning on the corporation line at or near the northeast corner of the David Wallace Garnett lot, on Smithville street, running thence eastward across the street of L. D. Mercer and Mrs. Osborne; thence northwestwardly along the northeast side of said Smithville street or road, and with the fence of said L. D. Mercer to the northwest corner of his garden; thence eastward with said garden fence in part and continuing same course 200 feet to a stake; thence southeastwardly, parallel to said Smithville street or road, to the line of said Mercer and Osborne; thence southwestwardly with said line to their corner; thence southwardly with Mrs. Osborne's line to where said line crosses the corporation line.

Sec. 2. *Be it further enacted*, That all Acts and parts of Acts of the General Assembly of the State of Tennessee in conflict with this Act, be and the same are hereby repealed.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 5, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 188.

[HOUSE BILL NO. 206.]

AN ACT for the protection of game in Lauderdale County.

Game law.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be unlawful for any person to hunt, kill, trap, capture, or destroy in Lauderdale County, Tennessee, any quail, larks, wild turkey, wild ducks, or deer, between the first day of March and the first day of October of each and every year.

Sec. 2. *Be it further enacted*, That it shall be unlawful for any person to ship from Lauderdale County any quail, larks, wild turkey, wild ducks, or deer at any season of the year.

Sec. 3. *Be it further enacted*, That no person being a non-resident of the State of Tennessee shall kill, trap, capture, or destroy in Lauderdale County any quails, larks, wild turkeys, wild ducks, or deer at any season of the year.

Sec. 4. *Be it further enacted*, That any person violating the provisions of this Act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than ten (\$10.00) dollars nor more than twenty-five (\$25.00) dollars for each quail, lark, wild turkey, wild duck, or deer so killed, captured or destroyed in or shipped from the said county of Lauderdale.

Sec. 5. *Be it further enacted*, That the judge of the circuit court of said county be required, and it is hereby made his duty, to give this Act specially in charge to the grand jury, and that they have inquisitorial power in the investigation of violation thereof.

Sec. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 189.

[HOUSE BILL NO. 236.]

AN ACT to protect game in the county of Grainger.

Game law.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be unlawful for any person or persons to hunt or kill deer or turkeys or to shoot, catch in traps or other devices, wild ducks, mocking birds; pheasants, larks, grouse, quail, or other species of birds on the lands of another person in said county without the consent of the owner first had and obtained.

Sec. 2. *Be it further enacted,* That it shall be unlawful for any person or persons with or without the consent of the owner of lands in said county to hunt, shoot, catch in traps, or other devices any of the above mentioned species of game, between the first day of March and the first day of October of each year after the passage of this Act.

Sec. 3. *Be it further enacted,* That any person violating any of the provisions of this Act shall be guilty of a misdemeanor and, on conviction, shall be fined not less than \$10.00 nor more than \$50.00, at the discretion of the court, and that the grand jury shall have inquisitorial power to enforce this Act.

Sec. 4. That this Act take effect and be enforced from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 190.

[HOUSE BILL NO. 71.]

AN ACT to protect game birds in Henderson County and provide penalty for violation of same.

Section 1. *Be it enacted by the General Assembly of Game law.
the State of Tennessee,* That it shall be a misdemeanor for any person to hunt, capture, kill, shoot, wound, or destroy any quail or partridge in the county of Henderson, from the first day of April to the first day of October, inclusive, of each and every year.

Sec. 2. *Be it further enacted,* That it shall be a misdemeanor for any person to hunt, capture, kill, shoot, wound, or destroy any quail or partridge on the land of another without the permission of the owner thereof first had and obtained.

Sec. 3. *Be it further enacted,* That it shall be a misdemeanor for any person to export from said county for profit any quail or partridge at any time.

Sec. 4. *Be it further enacted,* That any person violating the provisions of the above sections shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than five dollars (\$5.00) nor more than fifteen dollars (\$15.00) for each quail or partridge captured or destroyed in said county.

Sec. 5. *Be it further enacted,* That the grand jurors shall have inquisitorial power to send for witnesses, and make presentments for violation of this Act without a prosecutor.

Sec. 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 191.

[HOUSE BILL NO. 148.]

AN ACT to amend an act approved May 13, 1895, being Chapter 162 of the Acts of 1895 entitled "An act for the protection of game in Warren County.

Amendment to game law. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act, approved May 13, 1895, entitled, An Act for the protection of game in Warren County, be and the same is hereby so amended as to read: That it shall be unlawful for any person to hunt and kill quail, pheasants, partridges, grouse, wild turkeys, wild ducks, or deer in Warren County, between the first day of March and the first day of October of each year.

Sec. 2. *Be it further enacted,* That it shall be unlawful for any person to hunt, kill, capture, or destroy, any Chinese pheasants, or take or destroy the eggs or young of said Chinese pheasants in said county for a period of three years after the passage of this Act.

Sec. 3. *Be it further enacted,* That it shall be unlawful for any person to capture and take any of the hereinbefore mentioned game by strategy, by means of net, trap, or snare, during any season of the year.

Sec. 4. *Be it further enacted,* That it shall be unlawful for any person to kill or capture any of the hereinbefore mentioned game for the purpose of exporting the same out of said county, or for profit or sale in said county. It shall be unlawful for any person at any time, to hunt, kill, or capture any of said game for any purpose other than the immediate use of said person.

Sec. 5. *Be it further enacted,* That any person violating the foregoing section of this Act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than ten dollars nor more than twenty-five dollars for each quail, pheasant, partridge, grouse, wild turkey, wild duck, or deer killed, or nest of pheasant eggs or young of the pheasant taken or destroyed.

Sec. 6. *Be it further enacted,* That it shall be unlawful for any railroad company or express company or wagoner to ship or transport any of the hereinbefore mentioned game out of said county.

Sec. 7. *Be it further enacted,* That any railroad company or express company or wagoner who shall ship, haul, or transport out of the said county any of the here-

inbefore mentioned game, shall be guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than ten dollars nor more than twenty-five dollars.

Sec. 8. *Be it further enacted*, That the judge of the circuit court of Warren County be required and it shall be his duty to give this Act specially in charge to the grand jury, and that they have inquisitorial powers in the investigation of violations of the foregoing sections of this Act.

Sec. 9. *Be it further enacted*, That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed, in so far as applies to Warren County.

Sec. 10. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 9, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 12, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 192.

[HOUSE BILL NO. 112.]

AN ACT to repeal an act to incorporate the town of Lafayette and to abolish the charter of said town.

Section 1. *Be it enacted by the General Assembly of Incorporation. the State of Tennessee,* That an Act to incorporate the town of LaFayette, in the county of Macon and State of Tennessee, and provide for the election of officers, and prescribe their duties and for other purposes, passed March 16, 1891, be and the same is hereby in all things repealed, and the charter of corporation of said town is hereby abolished.

Recorder to
turn over
books to just-
ice of the
peace.

Sec. 2. *Be it further enacted,* That the recorder, authorized and elected under said Act, passed March 16, 1891, shall turn over to some justice of the peace residing within the corporate limits of said corporation all the official books in his possession belonging to the said corporation of the town of LaFayette; and such justice shall on demand of those entitled, issue executions on any unsatisfied judgments pertaining to said corporation.

Authority of
mayor and
aldermen.

Sec. 3. *Be it further enacted,* That the Board of Mayor and Aldermen of said corporation shall have full authority to apply any money or monies or property on hand or due said corporation to the payment of any unsatisfied debts against the said corporation, if any, or in any work of public improvement in the said incorporation and for this purpose they are allowed three months after this Act goes into effect, during which time the recorder shall hold any money or monies collected by him for said corporation subject to their order, after which all their powers shall cease, and any money or monies then on hand or due said incorporation shall be applied to the support of the public school taught within the limits of said corporation.

Sec. 4. *Be it further enacted,* That this Act shall take effect sixty days after its passage, the public welfare requiring it.

Passed January 27, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved January 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 193.

[HOUSE BILL NO. 208.]

AN ACT to re-locate and establish the line between the counties of Hawkins and Hancock.

Whereas, the line between the counties of Hawkins and Hancock as originally located and since changed by various Acts of the General Assembly, cannot now in many parts be determined with any certainty, and

To determine
the line be-
tween Haw-
kins and
Hancock.

Whereas, the two counties have, through their respective county courts, caused such line to be resurveyed and relocated, which resurvey and relocation is embodied in this Act; therefore,

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Hawkins and Hancock be relocated and re-established according to the calls, courses, distances, and designated objects as embodied in the survey ordered by the two counties, as follows, to-wit: Beginning on the top of Clinch Mountain on the Grainger County line, at a point where said line touches the top of said mountain in crossing; then with the top of said mountain north 60, E. 8 miles to the southeast corner of a farm, now owned by Barnett Cantwell; then with a line of his and Wm. Davis N. 90 poles to a white oak; thence north 24, east 43½ poles to a white oak; then north 16, W. 27 poles to a stake; then north 39, W. 42½ poles to a stake; then north 28, W. 290 poles to an elm; then N. 74½, E. 57 poles to a white oak; then north 27, W. 273 poles to a chestnut; then N. 47 poles to the top of Copper Ridge; then with the top of said ridge 4 courses, N. 60, E. 177 poles, S. 74½, E. 51 poles, N. 80, E. 72 poles, N. 68, E. 44½ poles to a white oak at Green's mill; then N. 16, W. 67½ poles to a planted rock in the edge of the road; then south 89, E. 16 poles to a stake; then N. 79, E. 26 poles to a stake; then N. 55, E. 60 poles to a stake; then N. 39, E. 16 poles to a stake; then N. 49, E. 25 poles to a stake; then N. 54, E. 27 poles to a stake; then north 74, E. 54 poles to a stake; then S. 53, E. 7 poles to a stake; then south 64, E. 40 poles to a chestnut; then N. 44, E. 74 poles to a hickory on the top of Copper Ridge; then N. 17, W. 68 poles to a stake; then north 24, W. 136 poles to a rock near Trent's mill;

then N. 41 $\frac{1}{2}$, E. 19 poles to a sugar tree at the creek; then with said creek N. 51, E. 93 poles to a planted rock on a line between Berry and Green; then N. 2, W. 98 poles to a rock on the top of Pine Ridge; then with the top of said ridge N. 63, E. 118 poles to a sycamore, in a gap of said ridge; then N. 2, W. 85 poles to a poplar, in the gap of Willis Hill Ridge; then with said ridge N. 54, E. 79 $\frac{1}{4}$ poles to a gap in said ridge; then with a hollow N. 64, E. 134 poles to a rock in said hollow; then N. 44, E. 67 poles to a rock in the edge of Rogersville and Sneedville pike road; then with said road N. 6, E. 56 poles to a rock near William J. Davis' house on a branch; then with the meanders of said branch N. 60, E. 527 poles to Richardson's creek; then N. 30, W. 86 poles to where the road crosses said creek; then with said creek N. 49, E. 136 poles to where Morgan creek empties into Richardson's creek; then up Morgan creek, as it meanders E. 352 poles passing Geo. DeBoard's house, so as to include said DeBoard's in Hancock County, crossing the valley road at a rock marked thus X; then N. 33, E. 138 poles to a pine on the top of chestnut ridge; then with the top of said ridge as it meanders, N. 60, E. 418 poles to a white oak on said ridge, same course 855 poles to a rock on said ridge; then S. 40, E. 110 poles to the top of Baker's hill; then N. 60, E. 45 poles down the ridge, to Yellow Spring, at a creek where the Rogersville and Jonesville road crosses the creek; then N. 36, E. 132 poles to a corner of Dick Pearson's land; then with said Pearson's line N. 55, E. 280 poles to a chestnut oak top of big ridge; then with the top of said ridge N. 82, E. 118 poles to a rock; then S. 51, E. 74 poles to a rock; then S. 40, E. 57 $\frac{1}{2}$ poles to a rock; then N. 63 $\frac{1}{2}$, E. 42 poles to a rock; then N. 68, E. 144 poles to a rock, where the creek crosses the road; then S. 90 poles to the top of pine ridge; then S. 26 $\frac{1}{2}$, E. 65 poles to a rock in Pumpkin Valley road; then the same course 220 poles to the top of copper ridge; then with the top of said ridge, as it meanders N. 60, E. 457 poles to a gap in said ridge at two black oaks and one white oak, marked thus X; then S. 33 $\frac{1}{2}$, E. 300 poles, crossing the Mountain Valley to the top of Clinch Mountain, at a point west of Looney's Gap; then N. 60, E. with the top of said mountain 8 miles to the Virginia line.

Sec. 2. *Be it further enacted*, That the line between the said counties of Hawkins and Hancock, as set out in the first Section of this Act be and the same is established as the true line between said counties, and that former Acts or parts of Acts in conflict to this Act, be and the same are hereby repealed.

Sec. 3. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed January 29, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 2, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 194.

[HOUSE BILL NO. 492.]

AN ACT to amend Chapter 179 of the Acts of the General Assembly of 1889, in reference to the game law in certain counties.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 179 of the Acts of the General Assembly of the State of Tennessee of 1889, be so amended as to read, That it shall not be unlawful, under the provisions of said Act, for a non-resident of the State of Tennessee to hunt game in Henry County, by permission of the land owners.

Section 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 195.

[SENATE BILL NO. 231.]

AN ACT to amend the charter of the city of Memphis so as to prescribe the qualifications of voters in municipal elections.

*Amending
charter of
Memphis.*

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act, entitled, "A Bill to establish taxing districts in this State, and to provide the means of local government for the same," being Chapter 11 of the Acts of 1879, and all Acts amendatory thereof, said Act and its amendments now constituting the charter of the city of Memphis, be and the same are hereby so amended as to provide and require that in all municipal elections hereafter to be held in said city, the voters thereat must have all the qualifications necessary to entitle them respectively, to vote for members of the General Assembly of the State of Tennessee, and, in addition thereto, must have resided for six months next preceding the date of such election in said city.

*Payment of
poll tax, how
established.*

Sec. 2. *Be it further enacted,* That all general provisions of law now in force or hereafter to be enacted, touching the manner in which the fact of payment of said poll tax, as herein provided, shall be evidence to the judges and officers holding said election, imposing penalties for the violation of the laws, requiring the payment of poll tax as a pre-requisite to the right to vote, and in other respects regulating the subject aforesaid so far as applicable and appropriate, shall be applicable to all municipal elections hereafter to be held in said city.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 196.

[SENATE BILL NO. 265.]

AN ACT to amend an act, being chapter 29 of Acts of 1889 to amend the charter of the city of Chattanooga, Tennessee, and all acts heretofore passed amendatory thereof, so as to divide the city into eight wards, and provide for the election of two aldermen for each ward by the legal voters thereof, and provide for the election of the Mayor by the qualified voters of the city, and provide for the election of a Recorder by the aldermen, and prescribe the duties of the Mayor and Recorder and fix their salaries, so as to fix, change, define and describe the boundaries of the second and fourth wards of said city.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 29 of the Acts of 1889, entitled, "An Act to amend the charter of the city of Chattanooga, Tennessee, and all Acts amendatory thereof, so as to divide the city into eight wards, and to provide for the election of two aldermen from each ward by the legal voters thereof, and provide for the election of the Mayor by the qualified voters of the city, and provide for the election of a recorder by the aldermen, and prescribe the duties of the Mayor and Recorder and fix their salaries," be so amended as to change the boundary lines between the second and fourth wards of the said city of Chattanooga, as follows, to-wit: Beginning at the intersection of Prospect street with Sixth street, where said Sixth street reaches the top of Cameron hill; thence eastwardly along Sixth street to Cedar street; thence northwardly along Cedar street to Second street, so as to include the residence of W. E. Dyer and M. G. Weidner; thence eastwardly along Second street to Poplar Street; thence southwardly along Poplar street to Third street; thence eastwardly along Third street to Pine street; thence southwardly along Pine street to a point fifty feet from the north line of Fourth street; thence eastwardly on a line parallel with Fourth street to Broad street; thence south along Broad street fifty feet to Fourth street; thence eastwardly along Fourth street to Market street; thence northwardly along Market street to the Tennessee river, which river is the north boundary line of said city.

Amendment
changing
boundary
lines in Chat-
tanooga.

Sec. 2. *Be it further enacted,* That all Acts and parts of Acts in conflict with this Act, be and the same are hereby repealed.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 197.

[SENATE BILL NO. 278.]

AN ACT to repeal the charter of incorporation of the town of Helenwood, in Scott County, Tennessee.

Repeal of
charter.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of incorporation of the town of Helenwood, in the county of Scott, and State of Tennessee, be and is hereby repealed.

Officers to turn
over books to
justice of the
peace.

Sec. 2. *Be it further enacted*, That the recorder, constable, or marshal, authorized and elected under the incorporation of said town of Helenwood, shall turn over to the justice of the peace of said corporation all of the official books in their possession belonging to said corporation of the town of Helenwood, and such justice of the peace shall, on demand of those entitled, issue executions on any unsatisfied judgment pertaining to said corporation.

Mayor and al-
dermen shall
collect debts.

Sec. 3. *Be it further enacted*, That the Board of Mayor and Aldermen of said town of Helenwood shall have full authority to collect any debts due said corporation, and to apply any monies or property on hand or due said town or corporation in payment of any unsatisfied debts of said town, or if there is any work of public improvements or public education in said town, and for this purpose they are allowed the term of six months after this Act goes into effect to wind up and complete any unsettled business, after which all their power

shall cease, and if any money or property then remaining on hand or due said town or incorporation shall be applied to the support of the public schools taught within the limits of said town or incorporation.

Sec. 4. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Sec. 5. *Be it further enacted*, That this Act take effect on the first day of May, 1897, the public welfare requiring it.

Passed March 15, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 198.

[SENATE BILL NO. 356.]

AN ACT to amend an act entitled "An act to create the office of County Judge for Lincoln County, and for other purposes," passed February 25, 1868, so as to regulate the appropriation by the County Court to the county judges named in said act.

Section 1. *Be it enacted by the General Assembly of Amendment. the State of Tennessee,* That Chapter 47 of the Public Acts of the General Assembly of the State of Tennessee, passed on the 25th day of February, 1868, be and the same is amended as follows, to-wit: By inserting after the word "right" in the seventh line of Section 9, of said Act the words "not to exceed the sum of one thousand dollars for any one year."

Sec. 2. *Be it further enacted*, That all laws and parts of laws in conflict with the provisions of this Act, be and they are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 15, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 199.

[HOUSE BILL NO. 39.]

AN ACT to change the county line between the counties of Dickson and Montgomery, so as to include all the lands of Henderson Proctor and E. T. Williams in Dickson County.

Change of line *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Dickson and Montgomery be changed as follows, to-wit: Beginning at a post oak tree on the Montgomery and Dickson County line at or near where the Batson's Mill and Horse Branch public road crosses said line; runs thence in a northerly direction with Henderson Proctor's west line to his northwest corner; thence with his said line east; thence south to his southeast corner; thence with J. M. Kinslow's line east to his southeast corner; thence north to Wall's southwest corner; thence east with Wall's line to J. B. Weem's west line; thence with his said line south to the point where Weem's line crosses the Montgomery and Dickson line, so as to include all the lands of Henderson Proctor and E. T. Williams in Dickson County.

Be it further enacted. That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 3, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 6, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 200.

[SENATE BILL NO. 16.]

AN ACT to authorize the town of Clinton to issue bonds for the purpose of erecting a public school building and improving the public streets and highways.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the town of Clinton, Tennessee, be and is hereby authorized and empowered in its corporate capacity to issue by and through its Board of Mayor and Aldermen its interest bearing coupon bonds, to be signed by the Mayor and countersigned by the Recorder to the amount of not exceeding fifteen thousand dollars, the proceeds of which shall be used for the following purposes and none other, to wit: The proceeds of not more than seven thousand five hundred dollars thereof for the purpose of providing a suitable building, including site, grounds, and furnishings, for the use of the public schools of said town; the proceeds of not more than other seven thousand five hundred dollars thereof for the purpose of improving the public streets and highways of said town.

Sec. 2. *Be it further enacted,* That said bonds shall not bear greater rate of interest than six per centum per annum, shall not mature later than thirty years after date, and shall not be sold at less than their face or par value; and said bonds shall not be issued until their issuance shall have been approved at an election of the qualified voters of said town, held for that purpose, whereat a majority of votes cast shall favor such issuance.

Sec. 3. *Be it further enacted.* That the Board of Mayor and Aldermen of said town shall, within ninety days after the passage of this Act, first having given twenty days' notice of the time and place of holding said election, submit the questions to the qualified voters of said town, and if the issuance of said bonds is approved at said election, then it shall be the duty of the Board of Mayor and Aldermen to provide for the issuance and sale thereof.

Sec. 4. *Be it further enacted,* That the Board of Mayor and Aldermen of said town shall annually provide, by ordinance, for the levy, assessment, and collection of such taxes as may be necessary to pay the interest on said bonds, and to provide a sinking fund to pay the principal, when the same shall become due.

Sec. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 22, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved January 27, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 201.

[HOUSE BILL NO. 380.]

AN ACT to repeal the charter of the town of Kenton, Gibson and Obion Counties, Tennessee.

**Repeal of
charter.**

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act, passed April 7th, 1893, entitled, "An Act to enlarge the corporate limits and increase the corporate powers of the town of Kenton," as well as the original charter granted to said town, be and the same is hereby repealed and the charter of said town abolished.

**Existing in-
debt edness to
stand.**

Sec. 2. *Be it further enacted*, That the passage of this Act shall not relieve the tax payers of said municipality from the payment of the existing indebtedness of said corporation, and the Board of Mayor and Aldermen are hereby granted the authority to remain with the same powers as at present to wind up the business of said corporation; *Provided*, this Act shall not have the effect to vacate the office of justice of the peace for said town.

Sec. 3. *Be it further enacted*, That this Act take effect on the first day of May, 1897, the public welfare requiring it.

Passed March 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 202.

[HOUSE BILL NO. 68.]

AN ACT to extend the corporate limits of the city of Nashville.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the area and corporate limits of the Mayor and City Council of Nashville, a municipality, organized under an Act of the General Assembly, Passed March 21, 1883, Chapter 114, be extended so as to embrace and include lots 38 and 39 in Valentino's sub-division of lot 1 of the Woodard's property, lying on the west side of Buena Vista street, the property of John H. and Jane B. Richards, also lot 36 in the same plan belonging to A. J. Seibert.

To extend limits of Nashville.
Section 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 4, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 11, 1897.

ROBT. L. TAYLOR,

Governor. Digitized by Google

CHAPTER 203

[HOUSE BILL NO. 465.]

AN ACT to protect game birds in the County of Haywood and to prevent exportation of said birds from said county.

Game law.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be a misdemeanor for any person to hunt, capture, kill, shoot, wound, or destroy any of the following game birds, to wit: Partridge, quail, woodcock, pheasant, and wild turkey, in the county of Haywood, from the 15th day of February to the 15th day of November, inclusive, of each and every year; and it shall also be unlawful to kill wild turkey from the first day of May until the first day of November, of each and every year.

Sec. 2. *Be it further enacted,* That it shall be a misdemeanor for any person or persons to export or ship, send or carry from said county of Haywood, beyond the limits of said county of Haywood any of the game birds mentioned in the first Section of this Act, at any season of the year.

Sec. 3. *Be it further enacted,* That it shall be and is hereby declared to be unlawful for any person or persons on his own land or elsewhere within the limits of said county to net partridges or quail at any season of the year.

Sec. 4. *Be it further enacted,* That it shall be unlawful for any person to hunt, kill, net, trap, or capture quail or partridge for profit in said county of Haywood at any season of the year.

Sec. 5. *Be it further enacted,* That any person violating any of the provisions of this Act, upon conviction, shall be fined for the first offense not less than \$5.00 nor more than \$25.00, and for each subsequent offense not less than \$25.00 nor more than \$50.00.

Sec. 6. *Be it further enacted.* That grand juries shall have inquisitorial power of all violations of this Act, and that it shall be the duty of the circuit and criminal judges to give the same in charge to the grand jury.

Sec. 7. *Be it further enacted*, That any and all laws in conflict with this Act be and the same are hereby repealed.

Passed March 17, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 204.

[SENATE BILL NO. 378.]

AN ACT to authorize the city of Martin, in Weakley County, to issue bonds for the purpose of erecting an electric light plant.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of the "City of Martin," in Weakley County, are hereby empowered to issue negotiable interest bearing bonds with coupons attached, to the amount of six thousand (\$6,000.00) dollars, or such part thereof as they may find necessary, to negotiate and sell the same, for the purpose of raising money to purchase, erect, put down and equip an electric light plant, in the said city of Martin, together with all machinery and appliances for operating the same; *Provided*, these bonds, together with all others, issued for any and all purposes shall not exceed the amount provided for and limited to, in the charter of the city of Martin, passed by the General Assembly on the 8th day of February, 1897, and approved by the Governor February 12, 1897. The said bonds and coupons attached shall be signed by the Mayor and Recorder of said city of Martin. The bonds shall be issued in such denominations as the Mayor and Aldermen may desire and order, and shall run a term of not less than ten years, and shall bear a rate of interest not exceeding .6 per cent. per annum, payable annually.

Election.

Sec. 2. *Be it further enacted*, That before said bonds shall be issued the Mayor and Aldermen shall cause an election to be held in said city, to submit the question to the voters of the same, to ascertain whether or not they are in favor of issuing said bonds, and at least 30 days' notice shall be given by printed posters of the time, place, and purpose of said election, and if two-thirds of the votes cast at said election shall favor the issuing of said bonds, then the Mayor and Aldermen shall issue them as prescribed in above section; those in favor of issuing said bonds shall have printed or written on their tickets, "For Electric Light Bonds," those opposed, "Against Electric Light Bonds."

Officers.

Sec. 3. *Be it further enacted*, That the Mayor and Aldermen may elect all necessary officers for the operation of the plant, and fix their salaries, or otherwise provide for the election, appointment, or employment of such officers, as they may choose, and to pass and enforce all proper, necessary and useful ordinances and regulations in reference to the operation of said plant, and to enforce the same.

Sinking fund.

Sec. 4. *Be it further enacted*, That the Mayor and Aldermen shall have the power to assess and collect tax annually, for the payment of interest, and to create a sinking fund for the payment of the said bonds as is given in the charter of the city of Martin, with reference to bonds for water works.

May be re submitted.

Sec. 5. *Be it further enacted*, That a defeat of the proposition to issue said bonds at an election held as hereinbefore prescribed, shall not preclude its resubmission.

May grant franchises.

Sec. 6. *Be it further enacted*, That the Mayor and Aldermen of the "City of Martin" are hereby authorized, if they think best, after failing to get authority to issue bonds as above prescribed, at an election held for that purpose, to grant franchises, and make contracts with any individual or company to put in an electric light plant in the city of Martin, to grant the said individual or company the exclusive right to operate the same in the city, for a period not exceeding twenty years from the date of granting said franchise, and to make contracts with such individual or company for the city for all necessary lights for a period of time not exceeding the franchise granted.

Sec. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 205.

[HOUSE BILL NO. 565.]

AN ACT to better protect birds in Wilson County.

Section 1. *Be it enacted by the General Assembly of Game law. the State of Tennessee,* That hereafter it shall be a misdemeanor for any person to hunt, kill, or capture any partridge, quail, snipe, woodcock, dove, mocking bird, oriole, or other harmless birds in the county of Wilson within five years from the passage of this Act.

Sec. 2. *Be it further enacted,* That any person violating the provisions of this Act shall be fined not less than five nor more than twenty-five dollars.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 206.

[HOUSE BILL NO. 284.]

AN ACT to change the county line between the counties of Monroe and Loudon.

Change of line Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between Monroe and Loudon Counties be changed so that the lands owned by H. C. Kelso, James Brison, Mrs. McCarroll, Robt. Everett, James Scrimpsher, Jno. W. Miller, Mat Cook, Cal Vernon, Joe Helton, Jos. Sewell, H. C. Call, and David Mincey, deceased, be detached from Monroe and placed in Loudon County.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 207.

[HOUSE BILL NO. 273.]

AN ACT to provide for better and more improved systems of water works and electric lights for the municipal corporations of Dyersburg.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the municipal corporation of Dyersburg, Tennessee, through its Board of Mayor and Aldermen is hereby authorized and empowered to issue coupon bonds of said corporation to an amount not to exceed forty thousand dollars (\$40,000), for the purpose of buying and improving the present water works and electric light system of said corporation or establishing new systems, and whichever course is pursued the bonds may be issued for each system separately and at different times or both combined, the amount for each system to be prescribed by the Board of Mayor and Aldermen, so that in the aggregate they do not exceed forty thousand dollars, or the Board of Mayor and Aldermen may loan the credit or aid of said corporation or issue said bonds and loan the proceeds for said purposes or either of them to some individual or individuals or private corporation to an amount not exceeding the sum hereinbefore named, and in said loan of credit or aid or proceeds of bonds may be given for each system separately and at different times or both combined, the amount for each to be prescribed by said Board of Mayor and Aldermen in the event the credit or aid or loan is given for each system separately; or said Board of Mayor and Aldermen may issue said bonds to buy and improve or establish one system and loan the credit or aid of said corporation or proceeds of the bonds for the other and which may be done at different times.

Sec. 2. *Be it further enacted,* That said bonds shall be in the denominations of one hundred dollars or multiples thereof with coupons attached for the semi-annual interest, no single bond to be in amount in excess of one thousand dollars; they shall bear such rate of interest as the Board of Mayor and Aldermen shall prescribe, not exceeding 6 per cent. per annum, and shall run twenty years from date of issuance, and shall be sold in no case for less than their face value. Any notes Denomina-
tions, inter-
est, etc.

or obligations indorsed or executed by the Board of Mayor and Aldermen in pursuance of the loan of said credit or aid shall be in such denominations and due at such times and bearing such rate of interest, not exceeding 6 per cent. per annum as such board may prescribe. All bonds issued or notes and obligations executed or indorsed shall be signed by the Mayor and Recorder with corporate seal attached.

Election.

Sec. 3. *Be it further enacted,* That before said bonds shall be issued or the loan of said credit or aid given, the Board of Mayor and Aldermen shall order an election or elections, held by the qualified voters of said corporation on thirty days' notice, published in one or more newspapers of said corporation, to ascertain the will of said voters in reference to the issuance of said bonds, or the loan of said credit or aid or both, as the case may be. As many elections may be held as may be deemed necessary and at different times, to determine the will of said voters in reference to the various propositions authorized under the provisions of this Act. If any proposition be defeated at an election, held to test the will of said voters in reference thereto, then the same may be resubmitted at any time after the expiration of six months.

Qualified voters, who are.

Sec. 4. *Be it further enacted,* That at any of these elections herein provided for all persons shall be entitled to vote who are qualified to vote for city officers or for the Mayor and Aldermen of said corporation. Those in favor of the issuance of said bonds shall have printed or written upon their ballots the words, "For Bonds," and those opposed to the issuance of bonds shall have the words, "Against Bonds;" and those in favor of the loan of said credit or aid shall have written or printed on their ballots the words, "For the Credit or Aid," and those opposed the words, "Against the Credit or Aid;" and if three-fourths of the voters voting at said election shall be in favor of the issuance of said bonds or the loan of said credit or aid or both, as the case may be, then the Board of Mayor and Aldermen shall have power and authority to issue said bonds or loan, said credit or aid or both, as the case may be, but not otherwise.

May levy tax.

Sec. 5. *Be it further enacted.* That if bonds are issued under the provisions of this Act, then said Board of Mayor and Aldermen are hereby authorized and empowered to levy such taxes on property, privileges, and polls of the corporation as are sufficient to pay the semi-annual interest on said bonds, and provide for a sinking fund to meet the payment of said bonds and at maturity,

and such taxes shall be kept separate and apart from other funds of the corporation. If the loan of said credit or aid is given under the provisions of this Act, then said Board of Mayor and Aldermen are hereby authorized and empowered to make such contracts with the parties to whom said credit or aid is given and to take such mortgages, deeds of trust, and securities as they may deem proper and sufficient to secure said corporation against loss that might arise against it in consequence of the loan of said credit or aid and to secure the prompt payment by the parties to whom said credit or aid is given of any notes, obligations or debts incurred or the interest thereon as the same matures, and in case the proceeds of the bonds are loaned the necessary and proper notes or obligations and securities shall be taken; *Provided*, that not more than fifty (50) per cent. of the entire cost of construction or completion of either the water works or electric light system shall be loaned to individual or individuals or private corporations upon either or both systems as the case may be.

Sec. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 8, 1897.

JOSEPH W. BYRNS,
Speaker pro tem. of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 208.

[HOUSE BILL NO. 166.]

AN ACT to authorize L. A. White, his successors, associates and assigns to build a dam across Nolachucky River, Unicoi County, Tennessee.

Franchise.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That L. A. White, his associates, successors, and assigns be authorized and allowed to construct and maintain a dam across Nolachucky river to be near what is known as "Red Banks," in Unicoi County; *Provided*, said L. A. White, his successors, associates, and assigns, shall first secure written permission to build said dam from the parties owning the banks of said stream where said dam is built.

Sec. 2. *Be it further enacted*, That a log chute, ten feet in width, shall be provided for and maintained at some point in said dam for full use of the public.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 9, 1897.

JOSEPH W. BYRNS,
Speaker pro tem. of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 209.

[HOUSE BILL No. 777.]

AN ACT to reduce the acts incorporating the city of Paris, in Henry County, and the various amendments thereto to one act and to amend the same.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Act incorporating the city of Paris, in Henry County and the various amendments thereto, be and the same is hereby amended so as to read as follows: The inhabitants of the city of Paris, within the following boundaries heretofore established, are hereby constituted a corporation and a body politic, by the name and style of the "City of Paris." The boundaries of said city shall be as follows: Beginning at a five-inch water pipe on the Jackson street, east of Governor James D. Porter's residence; thence west 177 poles to a standing five-inch water pipe, near the southeast corner of Russell's Lake; thence north (Mag. V. 4") 300 poles more or less to the northwest corner of the old Fair Grounds; thence east 177 poles to a standing rock in the field, south of the Louisville and Nashville Railroad; thence south 300 poles more or less to the beginning.

Sec. 2. *Be it further enacted,* That said "City of Paris" shall have perpetual succession, shall sue and be sued, implead and be impleaded in all the courts of law and equity, and in all actions whatsoever, may purchase and hold property, real and personal, within said city, and also beyond the city limits, for the burial of the dead; the erection or extension of water works and electric lights, work houses and houses of correction, and such other purposes as may be needed for corporation purposes, and shall have power to do all other Acts touching the same as natural persons. There shall be a seal of said city which shall be "City of Paris," Tennessee, encircling the word "Seal," and it may change same at pleasure.

Sec. 3. The officers of the city of Paris to be elected *officers*, by the people, shall be a Mayor and six Aldermen, constituting a legislative council. The Mayor shall be elected for a period of two years and the Aldermen for four years. No person shall be qualified to hold the position of Mayor unless he has resided in said city.

for at least one year previous to his election; no person shall be qualified to hold the position of Alderman unless he be a bona fide owner of real estate of the assessed value of two hundred and fifty dollars, and has resided within said city for at least one year previous to his election as alderman. Any of said officers removing from the city shall vacate their office.

Legislative council.

Sec. 4. The legislative council shall, at its first meeting in each year following the regular election for Mayor and Aldermen or as soon thereafter as possible after the passage of this Act, elect a recorder and marshal to hold, for a period of two years, and every two years thereafter their successors shall be elected, also a Board of Public Works, to be composed of three members, to hold for a period of three years; *Provided*, that at the first meeting of said council as aforesaid, there shall be one member of said board elected, to hold for the period of one year, one for two years, and one for three years, and every year thereafter they shall elect one member of said board to succeed the retiring member. In the event of a vacancy in said board the legislative council shall fill same for the unexpired term of the member vacating, after giving notice as is hereinafter provided for filling vacancies.

Duty of mayor

Sec. 5. It shall be the duty of the Mayor to preside at all meetings of the legislative council, and may vote in all matters coming before the legislative council; to see that all laws and ordinances of the city are enforced, observed and respected; to convene the legislative council in extraordinary session, when he may deem the same expedient; and to perform such other duties as may, by ordinance, be imposed upon him.

Duty of recorder.

Sec. 6. It shall be the duty of the recorder to collect all merchant and privilege license; to collect and receipt the city marshal for all taxes or other funds by him collected, and all funds that should otherwise come into the city treasury. He shall perform all duties heretofore, and that usually devolve upon the office of treasurer. He shall keep a separate account of all revenues collected by him, from merchants and privileges, in a well bound book provided for that purpose. He shall also keep an account of all funds by him collected from the marshal and all other sources, and shall, each month, transcribe to said book the totals collected from merchants and privileges, and shall enter, to the proper account, all disbursements on said book, to be known as the recorder's cash book, and shall keep such other books as may be prescribed by ordinance.

To care for city property.

He shall have care and supervision of all city property,

except where otherwise provided in this Act or by ordinances of the city; shall execute deeds, under the seal of the city, to lots in the cemeteries of the city, upon the payment of the price thereon fixed by law, under such conditions and restrictions as may be imposed and provided by ordinance of the legislative council. He shall, on and after the tenth day of each January of each year, assess all property, both personal and real, and polls within said city, for taxation, fixing the value thereon in the same manner as is provided for the assessment of State and county taxes, except that the same shall be done yearly, and shall have all the authority for the proper exercise of such duties as the assessor of State and county taxes possesses, and the legislative council of said city shall have full power to provide penalties, where the same may be necessary to assist in all necessary discoveries, and for the carrying out the intent and purpose of the authority here delegated to the recorder. On or by the first day of April of each year the recorder shall furnish the Board of Public Works a certified copy of all assessment so made by him, which shall be subject to review by said board, and should any person feel aggrieved at the assessment made by the recorder they shall, within twenty days after the said list comes into the hands of said board, file their complaint, in writing, with said board; it shall then be the duty of the board to hear such testimony as the party aggrieved may produce, relating to such assessment, and such other witnesses as they, on their own motion, may produce, and together with such knowledge as they themselves may have, shall pass upon the assessment made, and if they deem the same too high may reduce the same. In the event the said board deem any assessment by the recorder too low, they shall give such party at least three days' notice thereof, and, at the time stated, they shall proceed to assess the same at whatever amount they deem just and proper; but the party assessed may introduce proof, as in the above instance, on the first day of May, or as soon thereafter as possible; said Board of Public Works shall make out and certify to the recorder a list of all changes by them made, and it shall be the duty of the recorder to conform the assessments made by him to the changes made by said board. After the assessments have been perfected by the recorder he shall, at the first meeting of the legislative council thereafter, report to the council the total amount of the assessable property of the city together with the number of polls. The legislative council shall then, or at any subsequent meeting,

To assess
property.

Certified copy
of assessment.

List of
changes.

Rate of taxa-
tion.

fix the rate of taxation for the then year upon polls and property, as the needs of the city may require, which shall not exceed one dollar upon every one hundred dollars worth of taxable property, nor over one dollar on each poll. It shall then be the duty of the recorder to make out the city tax books, and have same ready by the first day of October of each and every year, and deliver the same to the city marshal taking his receipt therefor.

Marshal to collect taxes.

Sec. 7. The marshal shall collect all taxes on property and polls levied by the legislative council, except merchants and privileges, making settlements with the recorder therefor, as often as may be required by ordinance. To collect all fines due the city and settle therefor as often as may be required by ordinance. He shall have authority to examine all process, both civil and criminal, within the body of the county of Henry as constables have. He shall be chief of the police force of said city and shall have all authority hereinafter delegated to the police officers of the city.

Board of Public Works, powers and duties,

Sec. 8. The Board of Public Works, after their induction into office, shall elect one of their number as chairman; they shall also elect a secretary and fix the salary of same, but which shall not exceed one hundred dollars per month; they shall have charge and management of the water and light plant of the city and the employment of such officers, agents, and servants, as may be necessary to keep same in operation; they shall have control and supervision of all public improvements, such as repairs on the streets, alleys, and byways of the city, the building of side walks where the same is required by the ordinances of the city of property owners, may designate the width of same and the material of which the same shall be built at any particular place in the city, the kind and character of repairs when necessary, and in fact to carry out all laws of the city in reference to same and to all public improvements; they shall perform such other duties as may be required of them by ordinance.

Secretary.

Sec. 9. The Secretary of the Board of Public Works shall be ex-officio superintendent of the water and light plant of the city; he shall execute bond in such amount and conditioned as may be required by ordinance. It shall be his duty, unless the same is otherwise conferred upon other official of the city, to countersign all licenses issued by the recorder, and to keep an account of same in a well bound book, showing to whom issued, for what purpose, the tax paid thereon, and the time for which issued, and it shall be his duty to furnish a list

of same to the Mayor the first of each month, covering the transactions of the previous month. The secretary or superintendent shall perform such other duties as may, by ordinances of the city, be imposed upon him; he may issue subpoenas for witnesses to testify before said Board of Public Works, and may administer oaths to all witnesses so summoned, and shall issue, under the direction of said board, all notices required by this Act, or by ordinance of the city to be issued by the Board.

Sec. 10. A city court is hereby established to be held City court. by the recorder of said city, who shall be ex-officio judge thereof, and all violations of the laws and ordinances of the city shall be tried by such officer; *Provided*, that, in the absence of the recorder or his incompetency, and in case of a change of venue, which may be had under the same rules, regulations, and restrictions as appertain to like matters before justices of the peace, under the State laws; any justice of the peace of Henry County may hold the city court and try such cases. The recorder is hereby invested with the all powers of a justice of the peace in all matters, and may try both civil and criminal cases. He shall have authority to assess a fine not exceeding fifty dollars, which shall be in favor of the city for contempt of his court. An appeal shall be allowed from any fine imposed by said court, except for contempt committed in the presence of the court to the next term of the circuit court of Henry County, at Paris; the party appealing shall give bond and security for the payment of said fine and cost, and to abide by and perform the judgment of the court on appeal, but in no event shall an appeal be allowed upon the pauper's oath.

Sec. 11. The legislative council shall elect one of their number as president *pro tempore*, to preside over President of council. • their deliberations in the absence of the Mayor; may formulate rules for governing their deliberations, and may, by ordinance, provide for the punishment of persons in contempt of the council; may provide, by ordinance, for the summoning of witnesses before them or any committee appointed by them, or before the Board of Public Works, and enforce their attendance.

Sec. 12. The legislative council shall have power (1) Council, power and duties. to levy and collect taxes on real and personal property, polls, and privileges, taxable by the laws of the State, and to pass all laws necessary to effect the proper exercise of such authority. (2) To appropriate money for school and municipal purposes, and provide for the payment of the city's indebtedness. They shall have Power to issue bonds.

authority to reissue bonds of the city, bearing not exceeding five per cent. interest, payable semi-annually, to the extent of the amount there may be outstanding of the city's indebtedness; at the time of such issue the same to be for the purpose of taking up and cancelling the outstanding bonded indebtedness of the city; but no more bonds shall be issued in any event than are taken up by the city. (3) To provide for the appointment of a Board of Health, to define their duties and powers, and to provide all necessary means, by ordinances, for the enforcement of same within the city, and within one mile beyond the limits thereof; to make regulation to secure the general health of the town, and to prevent nuisances, and to prevent or regulate the driving of stock through the city; prohibit the erection of soap factories, stock yards, slaughter houses, pig pens, cow stables, and other nuisances of like nature within the prescribed limits, and to prohibit and regulate the same within one mile of the city limits, and to provide penalties for the violation of same. (4) To maintain a system of water and lights, and regulate the same and fix charges therefor, and to provide proper penalties for the violations of any rules and regulations, and to assist the Board of Public Works in the enforcement of any rules they may provide. (5) To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve, clean, keep in repair, streets, alleys, and side walks, by ordinance, special or general, and to empower the Board of Public Works to have same done. (6) To provide, by ordinance, for the grading and building of side walks and pavements within the city, which shall be done under the direction of the Board of Public Works, and to require the owners of the property adjoining, adjacent, and abutting said side walks to pay for same or for the repair of same, when necessary, and a lien is hereby declared on all such property for the cost of said improvement, which shall continue in force for twelve months, and shall be enforced as other liens on realty. (7) To establish a market and regulate the same. (8) To provide for the prevention and extinguishment of fires, to organize and establish fire companies, to regulate, restrain, and prohibit the erection of wooden and other buildings in any portion of the city, to prohibit the erection of sheds and other incumbrances upon or over the public streets or pavements of the city; they may provide for the removal of all such buildings, sheds, and incumbrances so erected at the cost of the owner of the property erecting or causing same to be erected, and the cost of which shall be a lien

**Board of
Health.**

**Water and
lights.**

Streets, etc.

**Market.
Fires.**

against the property upon which the same is erected, enforceable as other liens; they may also provide penalties for the violation of such regulations. (9) To prohibit and regulate the storage of gun powder, tar, pitch, rosin, saltpetre, gun cotton and all combustible materials, and the manufacture of all articles dangerous in causing fires. (10) To provide for the inspection of Gun powder,
etc, storage.
weights and measures. weights and measures.

(11) To prevent and recover all encroachments upon the street, alleys and byways of the city. (12) To pass all laws and ordinances as may be necessary to carry into effect the provisions of this charter, and all ordinances and laws as may be necessary to carry out the full intent and meaning of the object of their incorporation, and such as are usually possessed by municipalities; they shall have power to provide penalties and fines not exceeding fifty dollars and cost for the violation of any of the ordinances of the city. (13) To prevent and punish, by pecuniary Breaches of
peace, etc.
penalties, or otherwise, all breaches of the peace, noise, fighting, quarreling, loud cursing or swearing or other unnecessary noise or boisterous conduct, disorderly assemblies or meetings within the city, and for a distance of one mile from the corporate limits, and all laws now in force, relative to same or which may hereinafter be enacted by the legislative council, shall have full force and effect as to such matters within one mile of the city limits, whether the said ordinances so state or not; and the police authorities of the city shall have the same authority to make arrest, and the city court the same authority to try all persons violating such ordinances, as if the same were committed within the city limits, and to punish same. (14) To regulate the police Police force.
force of the city, to provide for the appointment thereof; all such officers shall have the same authority as is possessed by the city marshal in making arrest. The marshal and all police officers of the city shall have police authority, and shall enforce all laws of the city, and they may make arrest without warrant in hand within the city and also within one mile of the city limits, in cases specified in sub-Section 13 of this section, and, with warrant in hand, may arrest anywhere in Henry County for violations of the city ordinances.

Sec. 13. That the city of Paris is hereby created a special school district, and that the common or public schools of said city shall be managed and controlled by a Board of School Directors, composed of five persons, who shall be bona fide citizens and residents of Special school
district.

School directors, duties and powers.

said city, whose term of office shall be as herein provided, and shall be elected by the legislative council of said city as follows: At the time of electing the Board of Public Works, recorder, and marshal, one director shall be elected to serve for a period of one year, one for two years, one for three years, one for four years, and every year thereafter one director shall be elected for a period of five years. In the event a vacancy occurs in said board the same shall be filled by the legislative council for the unexpired term, in the same manner as vacancies on the Board of Public Works are filled. Said directors shall meet and organize as district school directors or commissioners organized under the general laws of the State. Said directors shall have all the power and perform all the duties now required and allowed by the laws of the State in reference to the public schools, and be under the supervision of the county and State superintendents as other school directors for districts under the general laws of the State. Said Board of Directors of the city of Paris shall have the same authority, powers, and shall perform the same duties as devolve upon district directors under the general laws of the State. They shall at the first meeting after their induction into office, elect one of their number chairman, and another clerk, who shall hold their respective places for the period for which they are elected, and until their respective successors are elected and qualified. The duties of the chairman and clerk shall be the same as under the general laws of the State. They shall make reports to the legislative council as often as required. The general laws of the State, in regard to common public schools, shall apply to the city of Paris as far as the same are not modified herein. The county trustee of Henry county be and he is hereby required to pay over on the warrants issued by the directors the school fund, assessed and collected by him, on property, polls, and privileges, within the corporate limits of the city of Paris, to be used by said directors as hereinbefore directed and provided; and also to pay over to and on account of the said directors, the pro rata of common or public school funds that shall come into his hands from the State of Tennessee, according to the scholastic population of said city, and as the same is paid to other directors in the county. The clerk of the Henry County court shall report to the county trustee the amount realized by him for school purposes from merchants and privileges within the city; and such amount shall pass or be placed to the credit of said directors by the trustee, as in the case of poll and

property tax paid the trustee for school purposes as above provided. The said Board of School Directors shall be a body corporate in like manner as district school directors are under the general school laws of the State. They may purchase and hold personal and real property for school purposes, and may sell and dispose of same when for the best interest of the public school interest of the city; that said city school shall be open to all children of school age in the county of Henry by notice being given by the parent, guardian, or other person having the legal control or charge of such children, or, if no one has such control, then by the child, to the Board of Directors of said city school and to the trustee of Henry County, who shall transfer the child's pro rata share of the public school funds from the district in which it was enumerated to the Paris city board.

Sec. 14. Before entering upon the discharge of the ^{Recorder and marshal.} duties of their offices the recorder and marshal shall enter into bond, with two or more solvent securities, payable to the city of Paris in double the amount of moneys which may come into their hands, conditioned upon the faithful performance of their duties and upon the diligent collection and faithful accounting for all moneys that shall or ought to come into their hands for fines, taxes, forfeitures, and other money due the city, and which ought by laws to be collected and paid over by them; and the said marshal shall be liable for failure to account for money collected upon process issued from the city court.

Sec. 15. The recorder and marshal shall render quarterly and monthly statements of the moneys collected by them and the state of finances under their control. ^{Shall make statements.}

Sec. 16. The legislative council may create such other ^{Other officers.} officers, agents, and servants of the city as they may see proper, define the duties and fix the compensation thereof.

Sec. 17. Any person who shall fail to pay or secure ^{Penalty.} any fine and cost imposed upon him for the violation of any of the ordinances of the city, such person may be committed to the work house or calaboose of the city until said fine and cost be secured, paid, or worked out. Every person so committed shall be required to work for the city at such work as his health and strength may permit, within or without said work house or calaboose not exceeding ten hours each day, and shall be allowed therefor, exclusive of board, a credit of fifty cents per day upon said fine and cost until the same shall be satisfied.

Sec. 18. No officer of the city shall be directly or in- ^{Contracts.}

Absence or disability. directly connected with any contract in which the city is concerned.

Sec. 19. The legislative council may, by ordinance, provide for the discharge of the duties of recorder and marshal in their absence, or by reason of the disability of these officers in such manner as they may deem proper.

Ordinances and vacancies. Sec. 20. The style of all ordinances passed by the legislative council shall be, "Be it enacted by the legislative council of the city of Paris." Vacancies in the office of Mayor and Aldermen shall be filled by election for the unexpired term of the member vacating by said legislative council. All elections to fill vacancies by election of said council shall be upon five days' notice of the time when said vacancy will be filled.

Oath. Sec. 21. That all the officers of the city, before entering upon the discharge of the duties of their office, shall take an oath to support the Constitution of the United States and of Tennessee, the laws thereof, and of the city and to faithfully discharge the duties incumbent upon them.

Salaries and commission. Sec. 22. The recorder shall receive a salary of twenty-four dollars per annum, twenty dollars for making out the tax books, one dollar for issuing city licenses, one dollar for trying cases in the city court to be taxed in the bill of cost, and one dollar for executing deeds to lots in the city's cemeteries, which said fees, in the case of license and the execution of deeds shall be paid by the party applying therefor. He shall also receive a commission, of not exceeding one and one-half per centum on all collections made by him from merchant and privilege tax and on all disbursements, but said commission may be reduced by the legislative council. The city marshal shall receive a commission on all collections made by him of not exceeding five per centum, which may be reduced by the legislative council. The recorder and marshal and all police officers of the city shall receive and be entitled to like fees and cost as magistrates and constables and officers performing like services, are entitled to receive, under the laws of the State, and such other fees as the legislative council may, by ordinance, allow.

Vacancies, how filled. Sec. 23. The recorder shall keep the minutes of the legislative council. In the event of the absence of the Mayor or a vacancy should occur in said office, the duties thereof shall devolve upon the president pro tempore of the legislative council until the same be filled by election as herein provided. The Mayor shall fill

all vacancies by appointment, except that of aldermen, until the same are filled by election as herein provided. The legislative council may remove any of the officials of the city for any misdemeanor or misconduct, in office, and likewise any of the agents and servants of the city, two-thirds of said council concurring in said removal. They shall have the power to impose upon any of the city officials any additional duties. The legislative council shall, at its last regular meeting or as soon thereafter as possible, before any general election for Mayor and Aldermen, fix the salaries of all city officers, which shall not be changed during the term of office of any of said officers, except by a two-thirds vote of said council.

Sec. 24. That the taxes placed in the marshal's hands for collection shall become delinquent upon the first Tuesday in February of each and every year for the year previous, and the marshal shall return a sworn list of all such taxes on polls, real and personal property not paid on said day, or as soon thereafter as he may be required to do by ordinance of the legislative council to the recorder, and from such day all such taxes shall bear interest at six per centum and be subject to a penalty of six cents on every dollar of taxes due. It shall then be the recorder's duty to make out a list of such delinquent taxes with the penalty attached and such additional cost as attached in the case of State and county taxes in favor of the officer performing like services; and such list, when made out and certified to by the recorder, shall have the same force and effect as a judgment at law, and the recorder may, within thirty days after the certification of said list, and shall, after thirty days following such certification, issue distress warrants against such delinquent, addressed to any lawful officer, which shall be leviable upon the goods, chattels, lands, and tenements of such delinquent in like manner as executions are from justice's judgments. A lien shall exist in favor of said city of Paris upon all property for unpaid taxes and cost as is, by the laws of the State, provided in case of State and county taxes, and said distress warrant may be levied upon the property against which taxes are due, a description of same appearing in said warrant. The officer into whose hands such warrant may come shall make due return thereof, within the time, and in the as in cases of executions issued from judgments from justices of the peace to the recorder, and where land is levied upon, the recorder shall return the same into the circuit court of Henry County for condemnation and sale of the

Collection of taxes.

land which said circuit court is here empowered to do, as in like cases of executions from justices' courts. That the recorder shall be authorized to issue distress warrants without the oath of the marshal or certification, in cases of taxes now delinquent, and, after the issuance of such warrant, the same may be proceeded upon as above set forth.

Lien for taxes. Sec. 25. That there shall be a lien upon all stocks of goods, wares, and merchandise for all taxes due the city, and no transfer thereof shall be valid as far as the city is concerned, until all taxes due the city shall have been paid; and the recorder shall have power to issue distress warrants to effect the collection thereof, or for any privileges as county court clerks have under the laws of the State. The legislative council shall have power to impose such penalties and fines for failure to take out licenses, where the same is required, as they may see proper.

Ownership of property, laws, etc. Sec. 26. That the city of Paris shall succeed to the ownership of all the property heretofore owned in the name of the Mayor and Board of Aldermen of the city of Paris, Tennessee. That all laws of said city now in force shall remain in force, except where in conflict with this Act, until the same are repealed or amended by the legislative council of said city; that all the present officers of the city shall continue to execute the duties of their respective positions until the officers provided for in this Act are inducted into office.

Terms of officers. Sec. 27. That the three aldermen or their successors, whose term of office expires on the second Saturday in April, 1898, as is now provided by law, shall continue in office until the second Saturday in April, 1899, or until their successors are elected and qualified. That the Mayor, elected on the first Saturday in April, 1897, shall hold office until the second Saturday in April, 1899. The three aldermen elected the first Saturday in April, 1897, shall hold office until the second Saturday in April, 1901.

Election. Sec. 28. That the first election of Mayor and Aldermen under this Act shall be holden upon the first Saturday in April, 1899, and every two years thereafter, a Mayor shall be elected to hold for two years, and three aldermen to hold for four years.

Qualification of voters. Sec. 29. The following shall be the qualification for voters under this Act: (1) He shall be qualified to vote for State and county officers. (2) He shall have paid the city poll tax assessed against him for the year preceding said election, where subject to the payment of said tax; he shall also have paid his State and county

poll tax as is required by the general laws of the State.
(3) He shall have resided for six months preceding the election within the city limits, or shall have been a bona fide owner of real estate within the city of the assessed value of two hundred dollars for six months previous to said election.

Sec. 30. The election of Mayor and Aldermen shall be held by the sheriff of Henry County, in person or by deputy, aided by three judges and two clerks, all of whom shall be legal voters within said city; the sheriff shall give ten days' notice of the time of said election, which shall be held at the court house in said city of Paris. The voters shall vote by ballot and under such regulation as may, by ordinance of the legislative council, be prescribed as to the hours, etc., of voting. The judges and clerks of said election shall be sworn and qualified according to the election laws of the State, and said election shall be conducted as are the various elections of the State and county by virtue of the election laws of the State, except as herein modified. The judges and clerks holding said election shall deliver and file the poll list with the recorder of said city.

Sec. 31. The person receiving the highest number of votes for Mayor and Aldermen respectively shall be declared elected, and the officer holding the election shall deliver to the city recorder a certificate of their election; which shall be done within three days after said election; said certificate shall be produced at the first meeting of the legislative council thereafter and a minute made of same on the records of the council.

Sec. 32. In the event the sheriff should fail to hold said election at the time set, he shall do so as soon thereafter, after giving the requisite notice, as possible. For failure to hold same at the time stated he shall be liable to a fine of fifty dollars, payable to the city of Paris, as other fines; if there be no sheriff, the coroner of Henry County shall hold said election as herein prescribed.

Sec. 33. The officers so elected shall be inducted into office the second Saturday in April after said election, at which time the legislative council shall meet and organize and elect all city officials as required under this Act.

Sec. 34. The legislative council shall meet in regular session on the second Tuesday in each month, unless

Election, how held.

Certificates of election.

Penalty for failure to hold election.

Officers installed, when.

Time of meetings, quorum, etc.

otherwise provided by ordinance. A majority of said council shall constitute a quorum to do business, but a less number may adjourn from time to time, and may compel the attendance of members, under such rules as may be prescribed by ordinance.

**Judgment
against of-
ficers for fail-
ure to collect,**

Sec. 35. If the recorder, marshal, and other bonded officers of said city charged with the collection or disbursement of public funds should fail to collect, or after collecting should fail or refuse to pay over any moneys by them received for the use of said city, such officer shall be liable to be proceeded against, by motion or suit at common law in the circuit court of Henry County, or any other court having jurisdiction of such officer, and it shall be the duty of the court to enter judgment against such delinquent and his securities for the money so received, or ought to have been collected by him in the name of the city of Paris; *Provided*, that, if the proceedings be by motion, such officer shall have five days' notice thereof.

Road duty.

Sec. 36. Every citizen of said city between the ages of eighteen and forty-five years, shall be liable to road duty, and may be required to work on the streets of said city, unless their health and strength will not allow, and they be exempt therefrom by the Board of Public Works, for such time as may be prescribed by the legislative council, not exceeding four days; but instead, if they elect, they may pay to the recorder for the use of the street fund of the city, fifty cents for each day's work required by the ordinances of the city. Any person refusing to work shall be guilty of misdemeanor and subject to such fine as may be fixed by ordinance. The legislative council shall have full power to provide for notice to be issued to each hand and to make such needful provisions as may be necessary to carry into effect the intent and purpose of this section.

**Roads, streets,
alleys, etc.**

Sec. 37. That in all cases where there has been conveyed by any person or persons to the former corporations of the town of Paris, or the city of Paris, or to the Mayor and Board of Aldermen thereof, any roads, streets, alleys, lots, or grave yards, or other property, the same shall inure to the use of said city of Paris and vest in it forever; and in all cases where the town or city of Paris, by commissioners or otherwise, has sold and conveyed property, such sale and conveyance shall be effectual to carry the legal title and estate in the same.

Sec. 38. That all Acts or parts of Acts in conflict with this Act be and the same are hereby repealed.

Sec. 39. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 210.

[HOUSE BILL NO. 183.]

AN ACT to amend the charter of the town of Johnson City, in the County of Washington, and to embrace all of said charter in one act.

ARTICLE I.—CORPORATE NAME AND BOUNDARIES.

Section 1. *Be it enacted by the General Assembly of* Incorporation. *the State of Tennessee,* That the inhabitants of the town of Johnson City, in the county of Washington, and State of Tennessee, be and they are hereby constituted a body politic and corporate, under the name and style of "The Town of Johnson City," and under that name may have perpetual succession, may sue and be sued, plead and impleaded, grant, receive, purchase, and hold real, and personal property, and may have and use a corporate seal, and may alter the same at pleasure.

Sec. 2. *Be it further enacted,* That the corporate boundaries of the town of Johnson City shall be as follows, to-wit: Beginning at a point in the center of the main track of the Southern Railway Company, southwesterly from the center of the corporate limits of the

town of Johnson City as fixed in Chapter 20 of the Acts of 1887, and one mile therefrom measured in an air line; thence south 47 degrees, east one mile to a planted stone; thence north 39 degrees and forty-five minutes, east seventeen thousand one hundred and sixty feet to a stake; thence north 40 degrees and forty-five minutes, west six thousand five hundred and twenty feet to Ruth King's corner; thence continuing same course one mile to a stake; thence south 36 degrees and fifteen minutes, west eighteen thousand five hundred and fifty feet to a stake; thence south 47 degrees, east one mile to the point of beginning.

Wards.

Sec. 3. *Be it further enacted*, That the Board of Mayor and Aldermen may divide the town into wards, either two or four in number, and define their boundaries by ordinance, and may from time to time alter the same; *Provided*, that no change in ward lines be made to take effect within one whole year next succeeding such change; and, *Provided*, that until otherwise fixed by ordinance of the Board of Mayor and Aldermen the town shall be divided into four wards as follows, to-wit: All that portion of the town lying south and east of the main track of the Southern Railway Company and west of Division street shall be the first ward. All that portion of the town lying north and west of the main track of the said railway company and south of Welborn street shall be the second ward. All that portion of the town lying south and east of the main track of said railway company and east of Division street shall be the third ward. And all that portion of the town lying north and west of the main track of said railway company and north of Wellborn street shall be the fourth ward.

ARTICLE II.—OFFICERS AND ELECTIONS.

First election. Section 1. *Be it further enacted*, That on the fourth Wednesday in November, 1897, an election shall be held in the town of Johnson City for the election of four aldermen, one from each ward, for a term of two years, to succeed the four of the present aldermen whose terms of office expire, under existing laws, on the first Wednesday in April, 1897; but the four aldermen whose terms of office expire as aforesaid shall continue in office until the first Wednesday in December, 1897, and until their successors are elected and qualified.

Sec. 2. *Be it further enacted*, That on the fourth Wednesday of November of every second year thereafter, such

an election shall be held for the election of four aldermen, one from each ward, for a term of two years.

Sec. 3. *Be it further enacted*, That on the fourth Wednesday of November, 1898, an election shall be held in the town of Johnson City for the election of a Mayor and four Aldermen, one alderman from each ward, for a term of two years, to succeed the present Mayor and four Aldermen whose terms of office expire, under existing laws, on the first Wednesday in April, 1898; but the Mayor and four Aldermen whose terms of office expire as aforesaid shall continue in office until the first Wednesday in December, 1898, and until their successors are elected and qualified. Election of mayor and aldermen.

Sec. 4. *Be it further enacted*, That on the fourth ^{Same.} Wednesday in November of every second year thereafter, such an election shall be held for the election of a Mayor and four Aldermen, one alderman from each ward, for a term of two years.

Sec. 5. *Be it further enacted*, That every officer of the town, whether elected by the qualified electors or by the Board of Mayor and Aldermen, shall have been a resident of the State of Tennessee for more than one year and a resident of the town of Johnson City for not less than six months immediately preceding his election, and shall continue to reside within the town during his term of office; and the aldermen shall have resided in their respective wards for not less than sixty days preceding their election, and shall continue to reside therein during their term of office. Qualification of officers.

Sec. 6. *Be it further enacted*, That all elections shall be held by the chief of police of the town, under rules and regulations prescribed by the Board of Mayor and Aldermen, and after twenty days' advertisement of same; *Provided*, that there shall be at least one voting place in each ward. The poll lists and tally sheets shall be returned to the Board of Mayor and Aldermen at or before 9 o'clock A.M. on the first Saturday succeeding the election, at which time, or as soon thereafter as a quorum for the transaction of business is obtained; said board shall meet in regular session and canvass the vote by resolution declare the result, causing certificates of election to issue under the seal of the corporation, signed by the Mayor or Mayor pro tempore, and countersigned by the recorder. Nothing herein appearing, however, shall be construed to conflict with the general laws of the State of Tennessee governing elections. Elections, how held.

Sec. 7. *Be it further enacted*, That all persons who are qualified to vote for members of the General Assembly of the State, and who have been actual bona fide Qualifications of voters.

residents and citizens of the town for ninety days prior to the election shall be entitled to vote in all municipal elections.

Terms of officers.

Sec. 8. *Be it further enacted*, That said officials so elected shall hold their offices for two years from the first Wednesday in December of the year in which elected, and until their respective successors are elected and qualified, unless their term of office is sooner terminated by death, resignation, or legal removal, for misfeasance, malfeasance, or nonfeasance in office.

Vacancies, how filled.

Sec. 9. *Be it further enacted*, That if there should be a vacancy in the office of alderman, a majority of the Board of Mayor and Aldermen may supply the same by the election of some qualified elector residing in the ward as to which the vacancy exists. In the event there is a vacancy in the office of Mayor, a majority of the aldermen shall elect one of their number to that office. Any person so elected to fill a vacancy shall hold office until the next regular election and until his successor is elected and qualified.

Recorder and city attorney.

Sec. 10. *Be it further enacted*, That on the first Wednesday in December, 1898, and on the same day of every second year thereafter, the Board of Mayor and Aldermen shall elect a recorder and a city attorney, whose terms of office shall be two years and until their successors are elected and qualified; but the recorder and city attorney, whose terms of office expire, under the existing laws, on the first Wednesday in April, 1898, shall continue in office until the first Wednesday in December, 1898, and until their successors are elected and qualified. Before entering upon the discharge of his duties the recorder shall give bond in such an amount and on such terms as may be determined by the Board of Mayor and Aldermen.

Police.

Sec. 11. *Be it further enacted*, That the Board of Mayor and Aldermen may elect a chief of police, and as many assistant policemen as said board may deem necessary, for such terms of office and under such rules and regulations as may be prescribed by said board.

Oath of officers

Sec. 12. *Be it further enacted*, That every officer of the town shall, before entering upon the discharge of the duties of his office, take an oath before some justice of the peace of Washington County to faithfully and honestly discharge the duties incumbent upon him to the best of his ability. Such oaths shall be in writing, and filed in the office of the recorder, except that of the recorder, which together with the recorder's bond, shall be filed with the Mayor.

Compensation of officials.

Sec. 13. *Be it further enacted*, That the compensation

of all officials, elected by the Board of Mayor and Aldermen, shall be fixed by said Board; *Provided*, that the salary and fees of the recorder shall not exceed twelve hundred dollars per annum in the aggregate, nor be less than five hundred dollars per annum, except on the written consent of the recorder-elect; and the compensation of the city attorney shall not be less than two hundred and fifty dollars per annum, except upon the written consent of the city attorney-elect.

Sec. 14. *Be it further enacted*, That the Board of <sup>Bonds of offic-
ials.</sup> Mayor and Aldermen may require a bond or bonds of any officer elected by said board, and fix upon the amount and terms thereof; and such bonds shall be required of any and all officers charged with the collection or disbursement of town revenues.

ARTICLE III.—LEGISLATIVE DEPARTMENT.

. Section 1. *Be it further enacted*, That the legislative powers of the town of Johnson City shall be vested in the Board of Mayor and Aldermen, consisting of a Mayor and eight Aldermen, to be elected as provided in Article II. herein.

Sec. 2. *Be it further enacted*, That the Board of <sup>Meetings of
board, etc.</sup> Mayor and Aldermen shall, by ordinance, fix the times at which the regular meetings of said board shall be held. Until otherwise provided by ordinance, the regular meetings of said board shall be held at 7 o'clock P.M., on the first and third Thursdays of each month, whenever, in the opinion of the Mayor, the welfare of the town demands it, he shall call special meetings of the Board of Mayor and Aldermen by a written call, which shall be served by a member of the police corps upon each alderman then in the town of Johnson City, and said policeman shall make return, over his signature, showing the names of the aldermen served, with a statement that he has served said call upon those named in his return. Said call shall specify the purposes of said meeting, and, together with the officer's return, shall be spread upon the minutes of the meeting, and the business of such meeting shall be restricted to the objects so stated. If at any time, in the opinion of any four of the aldermen, the welfare of the town demands that a special meeting be called, and the Mayor be absent from the town or unable for any reason to call such meeting or shall refuse to call same, the recorder shall, upon the written request of four aldermen, call such meeting in the manner and form hereinbefore provided.

Such meeting shall be called to order by the recorder, and the aldermen present shall proceed to elect one of their number Mayor pro tempore, who shall be vested for the time with the same power as the Mayor but shall not act as an alderman. If the Mayor is absent from any meeting of the board, it shall be the duty of the recorder to call the meeting to order, and the aldermen shall proceed to elect a Mayor pro tempore who shall act as Mayor for the time, in the same manner as above provided for special meetings called by the recorder.

Quorum.

Sec. 3. *Be it further enacted,* That a majority of the members of the Board of Mayor and Aldermen shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time, and, under an ordinance for that purpose, may compel the attendance of absent members by fines and penalties.

Rules of procedure.

Sec. 4. *Be it further enacted,* That the Board of Mayor and Aldermen may determine its own rules of procedure, except as herein provided, and prescribe the punishment of members, or other persons, for disorderly conduct during the meetings of the board, and enforce the same; and the Mayor shall have power to direct that any person, not a member of the board, who shall be guilty of such boisterous or disorderly conduct as to disturb the sessions of the board, be ejected from the room where such meetings are held, and for that purpose the Mayor may call to his aid any member of the police corps, and as many other persons as he may deem necessary, and the board may, by ordinance, provide proper penalties for the refusal of any person to obey the orders of the Mayor when so summoned by him.

Salaries.

Sec. 5. *Be it further enacted,* That the salaries of the Board of Mayor and Aldermen may be fixed by ordinance, by said board at least four months preceding the term of office for which the salary is fixed; *Provided*, that until fixed by ordinance, under the provisions of this section, the Mayor shall receive a salary of three hundred dollars per annum, and each alderman a salary of fifty dollars per annum, and the chairman of the street committee shall receive an additional compensation of one hundred and fifty dollars per annum, and the chairman of the finance committee shall receive an additional compensation of one hundred dollars per annum, and, *Provided*, further, that unless the salaries are fixed by ordinance within the time hereinbefore prescribed, they shall remain as then fixed, for the then ensuing terms of office, and until changed by ordinance under the provisions of this section.

Sec. 6. *Be it further enacted*, That all ordinances of Records. the town of Johnson City, full and complete record of the proceedings of the Board of Mayor and Aldermen, shall be kept by the recorder. The recorder shall keep a separate book, called the "Ordinance Book," in which shall be recorded all the ordinances passed by the board. The vote shall not be taken upon any ordinance, resolution, or motion, except a motion to adjourn, unless the same is reduced to writing.

Sec. 7. *Be it further enacted*, That all ordinances of Form of ordinances. the town of Johnson City shall begin with an enacting clause as follows, to-wit: "Be it ordained by the Board of Mayor and Aldermen of the town of Johnson City," and shall conclude with provisions as follows, to-wit: "This ordinance shall take effect from and after its passage, the welfare of the town demanding it," but this section shall not be so construed as to prevent the Board of Mayor and Aldermen substituting such time as they may desire in the concluding clause, instead of the words "from and after its passage." No ordinance shall become a law until it shall have been passed on three different days, and shall have received, on its final passage, the assent of a majority of the entire Board of Mayor and Aldermen.

Sec. 8. *Be it further enacted*, That the Board of Powers and Mayor and Aldermen shall have control of the finances duties of board. of the town, and all the property of the corporation, real, personal, and mixed, and shall have the power by ordinance—

1. To levy and collect taxes upon all property, priv- Taxes. ileges, and polls in the town of Johnson City, taxable under the laws of the State of Tennessee.

2. To license, tax, and regulate all lawful occupa- License. tions, privileges, business places, amusements, and places of amusement, declared to be privileges by the law of the State, and to fix the rate of charge for the carriage of persons and property within the town, and to the public works, parks, property and cemeteries of the town, by licensed hackmen, omnibus men, carriage men, draymen, expressmen, and street railway companies.

3. To establish quarantine regulations and laws, and Quarantine, etc. to enforce the same within the town, and within five miles thereof; and to establish, maintain, and regulate hospitals, and secure the general health of the inhabitants by any necessary means; to provide for the management and regulation of slaughter houses; to prevent or regulate the driving of stock through the city; to prohibit the erection of soap factories, stock yards,

slaughter houses, pig pens, cow stables, dairies, and other nuisances of like character within prescribed limits, and to remove and regulate the same; to regulate or prevent the carrying on of any business which may be dangerous or detrimental to public health, or the manufacture or vending of articles obnoxious to the health of the inhabitants, and to declare, prevent, or abate nuisances on public or private property, and the cause thereof.

**Fire limits,
etc.**

4. Establish fire limits and make and enforce such general regulations by ordinance for the prevention of, and extinguishment of, fires as the board may deem necessary, and to organize, equip, maintain, and regulate fire companies. To regulate the storage of illuminating oils, dynamite, gun powder, tar, pitch, resin, and all other explosive or combustible material, and to regulate or prohibit the use of firearms and fireworks of all kinds, and to regulate, restrain, or prohibit the carrying on of manufactories dangerous in causing fires.

Fire escapes.

5. To regulate the construction of suitable fire escapes in or upon buildings, and suitable appliances for the extinguishment of fires therein when necessary for the safety of the occupants.

Water.

6. To provide the town with water by contract or otherwise; construct wells, cisterns, and reservoirs; to erect pumps and hydrants; to lay pipes for the conducting and distributing of water over the town; to keep the same in repair; to acquire and own water works, or stock in any company organized for the purpose of supplying the town with water for domestic, irrigating, mechanical, and other purposes; to acquire by purchase or condemnation proceedings under the general laws of this State water rights and sites for public buildings, and parks of the city, or between the town and the source from which the water is to be taken, and to such condemnation proceedings the possession of a franchise shall be no bar upon the proper and legal compensation being paid; to construct or purchase water works for the use of the town, and to enlarge their capacity from time to time, and to keep the same in repair, and generally do whatever may be needful and necessary to be done by contracting with water companies or otherwise in order to supply the town with water for fire, irrigating, domestic, mechanical, and other purposes, and to regulate the prices to be charged private consumers therefor.

**Wells and
springs.**

7. To provide for the temporary closing of wells and springs used by the public whenever the same are injurious to health.

8. To open, alter, widen, abolish, extend, establish, <sup>Streets, alleys,
etc.</sup> grade, pave, or otherwise improve and keep in repair the streets, avenues, alleys, side walks, drains, and sewers, and to erect, establish and repair bridges and culverts, and to provide for the lighting of streets, and for the planting and protection of shade trees upon the streets, avenues, and parks or other public grounds, and for the erection of all buildings necessary for the public use of the town.

9. To provide for enclosing, improving, and regulating <sup>Public parks
and cemeteries.</sup> the public parks and other public grounds of the town, and to make all such provisions and regulations with regard to improvement, preservation, platting, and ornamenting any ground for a cemetery or cemeteries owned by the town, either within or without the boundaries of the town, as they may deem proper.

10. To provide for the construction and repair of <sup>Construction
and repair of
side-walks.</sup> side walks and foot pavements; and if the owner of any lot or lots shall fail to comply with the provisions of said ordinance, within such time as may be prescribed therein, the Board of Mayor and Aldermen, through any officer or agent they may designate, may contract for the construction or repair of such side walks or pavements, and the town shall pay for same, and the amounts so paid shall be a lien upon such lots or property, and may be enforced by attachments at law or in equity, or the amount may be recovered against said owner by suit before any court of competent jurisdiction.

11. To take and appropriate land for widening <sup>Appropriation
of land for
streets.</sup> streets, or parts of streets, or for laying out new streets, avenues, squares, parks, promenades, or other public grounds, when the public convenience or necessity requires it, in the manner provided in Section 1562 and Sections 1661, 1662, 1663, 1664 of Milliken and 'Ver-trees' Compilation of the laws of Tennessee.

12. To grant the right of way over streets, alleys, <sup>Right of way,
etc.</sup> avenues, squares, and other public places of said town, for the purposes of street railroads or other railroads, telephones, telegraphs, gas pipes, electric lights, and such other purposes as the board may deem proper; *Provided*, that they shall not grant the exclusive right to the use of streets and thoroughfares to any person, company, or corporation for more than twenty years. To regulate the laying of railroad tracks of all kinds; to regulate the passage and speed [of] railroad engines, cars, and trains of cars within the town limits; to compel railroad companies to furnish such gates and watchmen as the public safety may require and to compel said companies to construct and maintain proper and suffi-

cient and substantial crossings at the points where the streets, avenues, and thoroughfares of the town cross the track of said companies.

Dangerous construction.

13. To regulate parapet and partition walls, and to prevent the dangerous construction and condition of chimneys, flues, fire places, hearths, stoves, stove pipes, ovens, boilers, and all kinds of fire apparatus, and to cause the same to be removed, or placed in a safe and secure condition when considered dangerous; and to prevent the deposit of ashes and cinders in improper places.

Regulating construction.

14. To regulate the size, number, and manner of construction of the doors and stairways of theaters, tenement houses, audience rooms, and all buildings used for the gathering of a large number of people, whether now built or hereafter to be built, so that there may be a safe, convenient, and speedy exit in case of fire.

Obstruction.

15. To remove all obstructions from the streets, avenues, alleys, and side walks within the town, and to prevent and remove all encroachments upon, or into said streets, avenues, alleys, and side walks.

Cleaning side-walks.

16. To compel all persons to keep the snow, ice, and dirt from the side walks in front of the premises occupied by them, and if not occupied, then to compel the same to be done by the owners or their agents.

Regulating speed of trains.

17. To regulate the running of horse railway cars, or cars propelled by dummy engines, or cable, or electricity, the laying down of tracks for same, the form and kind of rail to be used, and the transportation of passengers thereon, and to require all railroad companies using the streets to lay their tracks at the official grade thereof, and to compel them to grade, pave, or macadamize and keep in repair the streets between the rails of their tracks and for the distance of two feet on each side of the same at their own expense.

Animals.

18. To restrain or prohibit cattle, hogs, horses, sheep, dogs, fowls, and all other animals from running at large within the town, and to authorize the summary sale or other disposition of all such animals when found so running at large.

Streets.

19. To provide for sprinkling the streets, avenues, and other public grounds.

20. To provide for the inspection of buildings, elevators, and steam boilers.

Weights and measures.

21. To establish standard weights and measures to be used in the town, and to appoint a keeper of weights and measures.

22. To provide for the measurement and inspection of lumber and all other materials.

23. To provide for the erection of market houses, establishing markets and market places, and the government and regulation thereof.

24. To provide for and regulate the inspection of ^{Inspection of} food. beef, pork, flour, meal, milk, butter, lard and all other provisions; to restrain and punish the regrating and forestalling of provisions, and to provide for and regulate the inspection of petroleum and other oils, whisky, and all other spirits in barrels, hogsheads, or other vessels.

25. To provide for the inspection and weighing or measuring of coal, wood, and other fuel, and hay, corn, and other grains.

26. To regulate the selling or giving away or intoxicating, spirituous, vinous, malt, or mixed liquors within the town.

27. To license, tax, and regulate billiard tables, bowling alleys, shooting galleries, and other places of public resort.

28. To license, tax, regulate, or supplant theatrical and other shows, exhibitions, and amusements.

29. To prohibit and suppress the sale or distribution ^{Prohibiting} _{gaming, etc.} of obscene books, paper prints, and pictures; the posting of obscene print, pictures, or advertisements; dance houses, opium joints, gambling houses, dealing in lottery tickets, prize fighting, cock fighting, dog fighting, brothels, bawdy houses, disorderly houses, houses of ill-fame, assignation houses, or any places of resort for the practice of lewdness or fornication, or notoriously reputed to be such, whether kept by one or more persons, and to destroy the instruments of gambling.

30. To prevent and restrain riots, noises, disturbances, disorderly assemblages in any streets, houses, or place within the town, breaches of the peace, fighting or disorderly conduct, drunkenness, Sabbath breaking, public profanity, and to make and enforce all such police regulations as may be necessary and proper for the protection and welfare of the citizens and the property within the town.

31. To prohibit and punish the abuse of animals, and horse racing, and fast driving, or riding within the streets.

32. To control, regulate, or prohibit the use of steam whistles.

33. To prevent or regulate the rolling of hoops, playing of ball, flying of kites, or any other amusement or practice having a tendency to annoy persons passing in the streets, or to frighten teams or horses.

34. To provide for the arrest and confinement, until

trial, of all riotous and disorderly person or persons violating any ordinance of the town by day or by night.

Work house.

35. To establish, erect, or purchase, and maintain, a work house for the town, and to provide for the committal to said work house of persons convicted of offenses against the ordinances of the town, who fail to pay or secure the fine and costs imposed upon them until such fine and costs shall be paid by such persons by labor or otherwise, such persons may be put to labor, either within an enclosure or upon the streets or other public works, under proper guards, or secured by ball and chain, at such wages as the board may adopt by ordinance.

Census, etc.

36. To provide for the enumeration of the inhabitants of the town, to regulate the burial of the dead, the registration of births and deaths, the keeping and returning of bills of mortality, and impose penalties on physicians, sextons, and others for any default in such duty.

37. To appropriate money and provide for the payment, and expenses of the town.

Laws.

38. To make all laws, rules, and regulations necessary and proper for carrying into execution the provisions of this Act that the Board of Mayor and Aldermen may deem requisite for the good order, health, good government, and general welfare of the town, and for the protection or preservation of any town property, privileges, and franchises, and to enforce the same by proper penalties.

Special funds.

39. To provide by ordinance special funds for special purposes and make the same disbursable only for the purposes for which the fund was created, and any officer of the town knowingly misappropriating any of said special funds shall be deemed guilty of malfeasance in office, and shall be removable from office on complaint of any one interested in said funds so misappropriated.

ARTICLE IV.—EXECUTIVE DEPARTMENT.

Executive, in whom vested.

Section 1. *Be it further enacted*, That the executive powers of the town shall be vested in a Mayor, chief of police, and as many assistant policemen as the Board of Mayor and Aldermen may deem necessary, a city engineer, and a city attorney.

Sec. 2. *Be it further enacted*, That the Mayor shall be the chief executive officer of the town, and shall be at least twenty-five years of age.

Sec. 3. *Be it further enacted*, That the Mayor shall preside at all the meetings of the Board of Mayor and

Duties and powers of mayor.

Aldermen, and, in case of a tie vote on questions before said board, he shall vote, but not otherwise. He shall, from time to time, give the Board of Mayor and Aldermen information relative to the condition of the corporation, and shall recommend to its consideration such measures as he may deem expedient for the interests of the town. He shall see to the enforcement of the ordinances of the town, and to the preservation of its health and peace, and, in cases of emergency, he is empowered to call to his aid every male inhabitant of the town in such enforcement; and the Board of Mayor and Aldermen may prescribe penalties for a failure to obey such call. The Mayor shall, when directed by the Board of Mayor and Aldermen, give orders upon the recorder for the payment of any moneys due from the corporation.

Sec. 4. *Be it further enacted,* That the Mayor may, ^{Alderman to act for mayor} in writing, request one of the aldermen to act in his stead during his absence, sickness, or other disability, and, in the event the Mayor shall fail to make such request, the Board of Mayor and Aldermen shall elect one of their number to perform the duties of the Mayor, and such alderman so appointed by the Mayor, or elected by the board, shall be vested with all the powers of the Mayor for the time being.

Sec. 5. *Be it further enacted,* That all contracts and ^{Contracts and bonds.} bonds of the town shall be signed by the Mayor and countersigned by the Recorder, under the seal of the corporation, after authority given by resolution or ordinance of the Board of Mayor and Aldermen.

Sec. 6. *Be it further enacted,* That all legal process ^{Legal process.} against the town shall be served upon the Mayor, and it shall be his duty to forthwith give the city attorney written notice of the same, stating the style of the cause, and from what court issued.

Sec. 7. *Be it further enacted,* That the Mayor shall have power, and it is hereby made his duty, to perform all acts that may be required of him by any ordinance, duly enacted by the Board of Mayor and Aldermen, not in conflict with any of the provisions of this Act. ^{Mayor to execute all ordinances.}

Sec. 8. *Be it further enacted,* That the Mayor shall have power to make pro tempore appointments to fill vacancies occasioned by sickness, absence, or other disability of any of the town officers elected by the Board of Mayor and Aldermen, and to suspend any of such officers for misconduct in office or for neglect of duty, reporting his action, with his reasons therefor, in writing, to the next regular meeting of the Board of

Mayor and Aldermen, and final action shall be taken thereon by said board.

Recorder.

Sec. 9. *Be it further enacted,* That it shall be the duty of the recorder to be present at all meetings of the Board of Mayor and Aldermen, and to keep a full and accurate accounts of all business transacted by the same to be preserved in permanent book form, and to perform such other duties as may be imposed upon him by this Act, or by the ordinances and resolutions of the Board of Mayor and Aldermen. In the event of the absence or disability of the recorder, the board may elect a recorder pro tempore, designating his duties.

Duties.

Sec. 10. *Be it further enacted,* That it shall be the duty of the recorder to keep a full and accurate system of accounts with each fiscal department of the town government, showing the amounts of receipts and expenditures in each of said departments, and he shall submit a statement of the same to the Board of Mayor and Aldermen monthly.

To be treasurer of the town.

Sec. 11. *Be it further enacted,* That the recorder shall be the treasurer of the town, and it shall be his duty to receive and receipt for the revenues of the town, but he shall not pay out any part of the same, except on warrants previously authorized by the Board of Mayor and Aldermen, signed by the Mayor, and attested by the recorder, under the seal of the corporation, and such warrants shall specify the particular departmental fund against which same are drawn, and shall be payable out of no other fund.

Seal, records, etc.

Sec. 12. *Be it further enacted,* That the recorder shall have custody of the town seal, the public records, the original ordinances of the Board of Mayor and Aldermen, all contracts, deeds, and certificates, relative to the title of any property of the town, all official indemnity, or security bonds (except his own bond or bonds), and such other records, papers, and documents of value as are not required to be deposited with any other person. He shall certify, under his hand and seal of the town, all copies of such original documents, records and papers in his office as may be required by any officer or person, and charge therefor to individuals such fees, for the use of the town, as may be provided by ordinance.

Other duties.

Sec. 13. *Be it further enacted,* That the recorder shall perform such other duties, not inconsistent with this Act, as the Board of Mayor and Aldermen may, by ordinance or resolution, direct.

Fire department.

Sec. 14. *Be it further enacted,* That the Board of

Mayor and Aldermen shall have power, by ordinance, to provide for the appointment of officers, and the enlistment or appointment of members of the fire department, and may provide rules and regulations for the government of the same. The said board shall have power, by ordinance, to place the fire department under the direction or control of a committee or committees of the board, or such officers as they may deem proper.

Sec. 15. *Be it further enacted*, That the compensation of the officers and members of the fire department shall be fixed by the Board of Mayor and Aldermen, by ordinance.

Compensation

ARTICLE V.—SCHOOLS.

Section 1. *Be it further enacted*, That the Board of Mayor and Aldermen shall have power to appoint a Board of Education, consisting of six qualified citizens, residing within the corporate limits, and not members of the Board of Mayor and Aldermen, which board, when so appointed, shall have full power, as trustees or directors, to manage and control the public or city schools, to elect or employ well qualified teachers, and prescribe all needful rules and regulations for said schools and the teachers thereof; and said Board of Education shall hold office for three years; *Provided*, the members of the present Board of Education shall hold their offices until the expiration of the term for which they were elected.

Board of Education.

Sec. 2. *Be it further enacted*, That the Board of Tax. Mayor and Aldermen shall provide, by ordinance, for the manner in which the taxes, collected by the city tax collector, going to the school fund, shall be paid over on the order of the Board of Education.

ARTICLE VI.—JUDICIAL DEPARTMENT.

Section 1. *Be it further enacted*, That the Recorder of Johnson City is hereby vested with full power and authority to try all offenses for violation of the ordinances and by-laws of said town, and is also hereby vested with concurrent jurisdiction with justices of the peace in cases of the violation of the criminal laws of the State of Tennessee, and to be entitled to the same fees now allowed justices of the peace for like services, the same to be paid into the town treasury. Said court shall have power and authority to preserve order and decorum while in session, and shall be invested with the same power to punish for contempt, by fine and

Recorder vested with power to try offenses.

imprisonment, as are incident to courts of record in this State.

Disability of recorder.

Sec. 2. *Be it further enacted,* That in the absence, incompetency, or other disability of the recorder, the Mayor is hereby authorized to act in his stead, or appoint some suitable person to act, as judge of said court, and the Mayor, or person appointed by him, is invested with the same powers as the recorder while so acting.

Chief of police.

Sec. 3. *Be it further enacted,* That the chief of police shall detail a member of the police force to wait upon said court when requested by the recorder or person presiding therein.

Right of appeal.

Sec. 4. *Be it further enacted,* That in all cases in which a person charged with a violation of the ordinances of the town of Johnson City shall be tried in said recorder's court, the accused, or the town of Johnson City, shall have the right to appeal from the judgment of said court to the law court of Johnson City, where the cause shall be tried *de novo*; but no appeal shall be granted unless the same be prayed and obtained and proper appeal bond, with solvent security to be approved by the recorder, in a sum in no case less than the amount of the judgment and costs be filed within two days after the rendition of judgment.

Process.

Sec. 5. *Be it further enacted,* That all process issuing from said recorder's court shall run in the name of "The Town of Johnson City." Subpoenas for witnesses issued from said court may be served in any county in this State by any executive officer thereof, under the same rules governing like process issuing from the courts of record in this State.

Police.

Sec. 6. *Be it further enacted,* That the Board of Mayor and Aldermen shall regulate, by ordinance or resolution, the number of assistant policemen, the salary to which they shall be entitled, and the salary of the chief of police; nor shall the chief or any assistant policeman be entitled to any other compensation for services rendered the town during their employment on the police force.

Control of police, etc.

Sec. 7. *Be it further enacted,* That the Board of Mayor and Aldermen shall have power to place the government, regulation and control of the police force in the hands of a committee of said board; but no policeman shall be permanently removed from office without the right of a final appeal to the entire board, a majority of which shall concur in such removal.

Arrests, who may make.

Sec. 8. *Be it further enacted,* That any member of the police force may, upon view, arrest any person who

may be guilty of a breach of the ordinances of the town or a crime against the laws of the State of Tennessee, and are empowered to serve process of any kind or character issued by or out of the recorder's court, and to serve process in criminal matters issued by any justice of the peace within the town.

Sec. 9. *Be it further enacted*, That the chief of police and all assistant policemen are empowered to serve any and all process which may be issued by any court in Washington County in any proceeding instituted for the enforcement of any town ordinance, or punishment for violation thereof, or for the collection of any fines or forfeitures which may be incurred under the ordinances of the town. Process, who may serve.

ARTICLE VII.—TAXATION AND REVENUE.

Section. 1. *Be it further enacted*, That all property, real, personal, and mixed, subject to State and county taxes, and all persons liable for a poll tax, when the same shall have become duly assessed for taxation as now, or may hereafter be provided by law, by the assessor or assessors elected or appointed under the general laws of the State, shall be the basis upon which property shall be taxed and taxes collected by the town of Johnson City, for municipal purposes, as hereinafter provided. Basis of taxation..

Sec. 2. *Be it further enacted*, That as soon as practicable, in each year after the assessment books for the State and county are complete (which shall be after the equalization boards provided for by the State law shall have finished the equalization of taxes), it shall be the duty of the recorder to prepare or cause to be prepared, from the said assessment books of Washington County, a tax book as is required by the laws of the State to be made out for the county trustee, embracing, however, only such properties and persons as are liable for taxes within the town of Johnson City. Such tax book, when certified to be true, correct, and complete by the recorder, shall be the assessment for taxes in said town for all municipal purposes; *Provided*, that there may be an assessment, by the recorder, at any time, of any property, subject to taxation, found to have been omitted.

Sec. 3. *Be it further enacted*, That it shall be the duty of the recorder, in each year, as soon as such assessment roll for the town is complete, to submit to the Board of Mayor and Aldermen a certified statement of the total amount of the valuation or assessment of the

taxable property for the year within the town limits (including the assessment of all railroad, telephone, and telegraph, properties), together with a certified statement of the revenue derived by the town from privilege taxes, merchants' ad valorem taxes and fines for the preceding fiseal year. Upon the presentation of such statements by the recorder, the Board of Mayor and Aldermen shall proceed, by ordinance, to make the proper levy, to meet the expenses of the town for the current fiscal year, not exceeding, however, in the total levy for all purposes (except interest on the bonded debt of the town) in any one year, one and one-half per centum of the total assessment of property within the town for the year.

**Compensation
for tax-book.**

• Sec. 4. *Be it further enacted,* That it shall be the duty of the recorder, immediately after the levy of taxes by the Board of Mayor and Aldermen, to cause the said levy to be extended upon the said book, prepared by the recorder, in the same manner that extensions are made upon the tax books in the hands of the county trustee. The recorder shall be allowed a reasonable compensation, out of the town treasury, for the preparation of said tax book and extensions; the amount thereof to be fixed by resolution of the Board of Mayor and Aldermen.

**Taxes due and
payable,
when.**

Sec. 5. *Be it further enacted,* That all taxes due the town of Johnson City, except privilege and merchant's ad valorem taxes, shall be due and payable on the first Monday in November of the year for which the taxes are assessed, and shall bear interest at six per cent. per annum from the first Tuesday in February following. The recorder shall be the custodian of the tax books and the tax collector for the town. A penalty of five per cent. upon all taxes remaining unpaid on and after the first Tuesday in February and up to the first Tuesday of June following the year for which the taxes are assessed, shall be imposed and collected by the recorder, and by him paid into the town treasury. On and after the first Tuesday in February, as aforesaid, the tax books in the hands of the recorder shall have the force and effect of a judgment of a court of record, and the recorder shall have the power to issue distress warrants and alias and pluries distress warrants in the name of the town of Johnson City, to enforce the collection of said taxes against the person owning the property assessed on January 10th of the year for which the tax is assessed, by a levy upon the personality of such tax payer; and such distress warrants shall be executed by the chief of police, or any assistant police-

man, of the town of Johnson City, by a levy upon and sale of the goods and chattels under the same provisions as prescribed by law for the execution of such process from a justice of the peace.

Sec. 6. *Be it further enacted,* That all municipal taxes on real estate in the town of Johnson City and all interest, penalties, and costs accruing thereon, are hereby declared to be a lien on said realty, from and after the 10th day of January of the year for which same are assessed, superior to all other liens, except of the State of Tennessee and County of Washington, for taxes legally assessed thereon, with which it shall be a co-ordinate lien. No assessment shall be invalid because the size and dimensions of any tract, lot, or parcel of land has not been precisely named, or the amount of the valuation or tax not correctly given, nor because the property has been assessed in the name of a person who did not own the same, nor because the same was assessed to unknown owners, nor on account of any objection or informality merely technical, but all such assessments shall be good and valid.

Sec. 7. *Be it further enacted,* That the proceedings under the provisions of this Act against any realty in the town of Johnson City for municipal taxes, interest, penalties, and costs due thereon shall be an action *in rem*; and it shall not be necessary, in order to vest a good and valid title in the purchaser at any sale made hereunder, to proceed personally against the person, or persons, owning the same; but it shall be necessary only that the advertisement of sale hereinbefore provided shall contain a sufficient description of the property to identify same; *Provided*, that such a description as would be sufficient to pass title by deed of conveyance, under existing laws in the State of Tennessee, shall be sufficient for said advertisement.

Sec. 8. *Be it further enacted,* That on and after the first Tuesday in June of the year following the year for which the taxes are assessed a penalty of ten per cent. upon all taxes and interest remaining unpaid shall be imposed and collected by the recorder, and by him paid into the town treasury.

Sec. 9. *Be it further enacted,* That as soon as practicable, after the first Tuesday in June, 1897, and each year thereafter, the city attorney shall prepare an accurate description, as provided in Section 7 of this Article, of each tract, lot, or parcel of realty upon which any municipal taxes, interest, penalty, or costs are unpaid and the recorder shall proceed to advertise the sale of such delinquent property in some newspaper.

published in the town of Johnson City, once each week for four consecutive weeks. If no newspaper is published in Johnson City, or if the newspapers shall decline to publish same for the legal fees, then such advertisement shall be made by not less than five notices posted in public places in Johnson City. Said advertisements shall be made in the alphabetical order in which the names of the owners of said delinquent lands appear on the tax book, but it shall in no wise invalidate any advertisement and sale if such alphabetical order is departed from in the making said advertisements, or if any of said realty is advertised as the property of, or assessed to, any person not the owner thereof, but the title of such purchaser shall be good against all claimants, provided the description of the property is sufficient as hereinbefore prescribed.

How advertised.

Sec. 10. *Be it further enacted*, That such sales shall be advertised as near the same time as practicable, but need not all be made at the same time in order to render the sales thereunder good and valid. One general caption, or heading, stating the time, place, and terms of sale, shall be sufficient for all the delinquents advertised in any one issue of a newspaper, or upon any one notice posted under the provisions hereof.

Fees for advertising.

Sec. 11. *Be it further enacted*, That the newspapers publishing the said notices of sale shall be allowed a fee of eighty cents for the first insertion and forty cents for each additional insertion (making two dollars for the entire four weeks) for each lot, tract, or parcel of land advertised; *Provided*, that where two or more contiguous lots or tracts are assessed together, as one assessment, they shall be advertised in the same manner and but one fee allowed for such advertisement. Said advertising fee shall be paid by the delinquent tax payer if paid before the day of sale; if not so paid, it shall be paid out of proceeds of sale of the particular lot or tract of land advertised, under the conditions hereinafter provided.

Property, how sold.

Sec. 12. *Be it further enacted*, That at the place and between the hours of 9 A.M. and 4 P.M. on the day named in said advertisement, the recorder shall sell said advertised property at public outcry, for cash, to the highest and best bidder, and out of the proceeds of sale shall be paid all municipal taxes, and the interest, penalties, fees, and costs accrued thereon, then due and delinquent on said land. The recorder shall, before offering any tract, lot, or parcel, of land for sale, announce the total amount of taxes, interest, penalties, fees, and costs due thereon, and shall offer to receive bids

upon the smallest sub-division thereof which will produce the amount of said taxes, interest, penalties, fees, and costs, and shall sell the smallest sub-division of said land which will produce a sufficient amount as aforesaid; but if no bid for a sufficient amount as aforesaid is received for a sub-division of said land, then the recorder shall sell the whole tract, lot, or parcel, but no bid shall be accepted for a less sum than the total amount of the taxes, interest, penalties, fees, and costs accrued thereon. Said sales may be continued from day to day, if necessary, or deemed expedient by the recorder. If there are any taxes due the town upon any property sold by the recorder, assessed for years prior to the year 1895, it shall be the duty of the recorder to announce the same when offering said property for sale, but he shall not include such taxes in his said sales.

Sec. 13. *Be it further enacted,* That after such sales have been made the recorder shall execute and deliver to the purchaser of each tract, lot, or parcel of land a certificate, reciting that such purchaser was the highest and best bidder, and giving a description of the land, the date of sale, and the amount of taxes, interest, penalties, and costs respectively, for which the land was sold, the total amount thereof, and the amount bid by said purchaser. A fee of fifty cents shall be taxed against each tract or parcel of land advertised for sale for the preparation of said advertisement, and a fee of fifty cents for making sale and executing said certificate, shall be taxed as a part of the costs against each tract or parcel of land sold, said fees to be turned into the town treasury in the same manner as taxes.

Sec. 14. *Be it further enacted,* That after two years from the date of such sales, unless the property shall have been redeemed as hereinafter provided, the recorder shall, upon demand, execute to each purchaser, or his assignee, or legal representatives, a deed for the lands bought by such purchaser or purchasers; *Provided*, the said purchasers, or their representatives, shall in each case pay the legal fees demanded by the clerk, or other official, before whom the recorder shall authenticate the deed for registration. Said deeds shall describe the property conveyed, recite the name of the newspaper in which the said land was advertised for sale, the date and place of sale, the total amount to pay which the land was sold, with the years for which the taxes were assessed, and the amount paid by said purchaser, and said deeds, when duly authenticated for registration and recorded in the office of the register of Washington County, shall be *prima facie* evidence

Property not
redeemable
after two
years.

of the recitals therein, and said deeds shall not be subject champerty laws of Tennessee.

Litigation not to prevent sale. Sec. 15. *Be it further enacted,* That the fact that any property is in litigation or in the hands of a receiver appointed by court or otherwise, shall not prevent the recorder from advertising and selling the property as herein provided.

Right to redeem within two years. Sec. 16. *Be it further enacted,* That at any time within two years from the date of the sale of any property as herein provided, the owner or owners of such property, or a judgment creditor of such owner or owners, shall have the right to redeem the same by the payment to the recorder of the total amount of taxes, interest, penalties, fees, and costs for which said property was sold, with interest at six per cent. per annum from the date of sale upon the amount paid by the purchaser at said sale, and, in addition, a penalty of six per cent. per annum on said purchase price; and the purchaser shall be repaid the amount paid by him, and, in addition, he shall be paid the said interest and penalty above provided for. It shall be the duty of the purchaser to pay all municipal taxes assessed against the property bought by him during the period allowed for redemption, and the person redeeming shall be required to also repay the amount of such taxes with six per cent. per annum interest thereon from the date of such payment. If the taxes accruing subsequent to such sale have not been paid, and are delinquent, no person shall have the right to redeem without paying such taxes and any interest, penalties, and costs accrued thereon, in addition to the amounts hereinbefore provided for.

City may buy, when. Sec. 17. *Be it further enacted,* That in all cases where no bid is received at the sales hereinbefore provided for sufficient to discharge all municipal taxes, interest, penalties, fees, and costs upon said property, the recorder shall bid the full amount of such taxes, interest, penalties, fees, and costs on such property for the town of Johnson City, and he is hereby authorized to subsequently sell said property at private sale, at the amount of such bid, or more, subject to redemption as in other cases, but the time of redemption to run from said public sale as aforesaid. But the town of Johnson City shall not be required to pay any advertising fee unless the title to the property shall be ultimately vested in the town of Johnson City by a resale after the expiration of said two years as hereinafter provided.

City may resell, when. Sec. 18. *Be it further enacted,* That in the event sales of such property bid in by the town of Johnson City

shall not haye been effected after the expiration of two years from the date of said public sales, the recorder shall advertise and resell the same in the same manner and form as in the former sales, but for cash in hand and in bar of redemption, to the highest and best bidder, and he shall execute deeds to the purchasers as provided in Section 14 hereinbefore. The Mayor shall have power to bid for the benefit of the town of Johnson City for such property at said sales as in his discretion shall be for the best interest of the town; *Provided*, that he shall bid no more for any parcel of property than the total amount of taxes, interest, penalties, fees, and costs accrued thereon, and the recorder shall execute deeds to the town of Johnson City for all property so bid off by the Mayor for the town, and such property shall be held by the town and sold and disposed of by the Board of Mayor and Aldermen as in their discretion may seem best for the interest of the town, and the proceeds of such sales shall be distributed among the several fiscal departments of the town in the same proportion as the taxes are appropriated to each department.

Sec. 19. *Be it further enacted*, That this Act shall not apply to taxes due the town of Johnson City which have been assessed for years prior to the year of 1895, and all such taxes may be collected by the city attorney under the provisions of Chapter 115 of the Acts of 1893, and all suits now pending, or hereafter brought, to collect such taxes may be prosecuted to final termination in accordance with the provisions of said Act of 1893. The taxes due and unpaid for the year of 1895, now in the hands of the city attorney for collection under existing laws, shall continue in his hands until the first Tuesday in June, 1897, and he may receive and receipt for said taxes until that date, and collect from the said delinquent tax payers the same commissions as heretofore allowed by law, but he shall not bring suit to collect same. On the first Tuesday in June, 1897, the city attorney shall certify to the recorder the taxes remaining in his hands unpaid for the year 1895, and the recorder shall proceed to advertise and sell the lands upon which the said taxes are assessed under the terms and provisions of this Act, and he may issue distress warrants, and alias and pluries warrants, to collect any tax on personal property included in said taxes for 1895, so certified to him by the city attorney, and such distress warrants shall be executed as provided in Section 5 of this Article.

Act not to apply prior to 1895.

Poll tax.

Sec. 20. *Be it further enacted.* That the Board of Mayor and Aldermen shall have power, by ordinance, to levy and collect a poll tax to be used for school purposes, not exceeding, for any year, in amount, the poll tax levied by Washington County.

Privilege tax.

Sec. 21. *Be it further enacted.* That the Board of Mayor and Aldermen shall have power, by ordinance, to levy and collect privilege taxes upon each business, calling, and occupation declared to be a privilege, or taxed as such, by the laws of Tennessee, but said board shall not be required to assess privileges at the same rates as fixed by the State statutes. It shall be the duty of the recorder to issue license to do privileged business, and to receive and receipt for privilege taxes, and unless otherwise provided by ordinance of the Board of Mayor and Aldermen, he is hereby vested with the same powers, with relation thereto, as are now, or may be hereafter, vested in county court clerks in this State.

**Expenditures
not to exceed
income.**

Sec. 22. *Be it further enacted.* That the Board of Mayor and Aldermen shall not contract for the expenditure of any greater sum of money in any one year than the income for that particular year amounts to; and said board is forbidden to make any appropriation of money or credit in the way of festivities, pageants, excursions, parades, or donations of any kind, except to provide medicines, medical attention, and coffins for the absolutely destitute paupers of the town.

**Shall design-
gate purposes
of levy and
how expended**

Sec. 23. *Be it further enacted,* That the Board of Mayor and Aldermen shall, by ordinance, designate the purposes for which the taxes are levied, and to which the municipal revenues from all sources shall be appropriated; and the appropriation for each fiscal department shall be held and kept for the purposes of that department, and shall, under no circumstances, be diverted from such purposes. No payments shall be made out of the town treasury, except upon warrants drawn by the Mayor and countersigned by the recorder, under the seal of the town, upon the prior authorization of the Board of Mayor and Aldermen, and such warrants shall specify the particular fund against which they are drawn, and shall be payable out of no other fund.

Road work.

Sec. 24. *Be it further enacted.* That all male inhabitants in the town of Johnson City over eighteen and under forty-five years, except such as are permanently disabled from performing ordinary labor, who may be released by the Board of Mayor and Aldermen, shall work on the public streets, avenues, and alleys of the

town not less than three nor more than six days in each year, upon three days' notice being given by the street foreman of the time and place to commence, but such notices may be served either by the street foreman or any member of the police corps. Any person so notified may be exempt from such work by sending an able-bodied and satisfactory substitute, or by paying to the recorder, to go to the street fund, such sum as the Board of Mayor and Aldermen may fix, but not less than two nor more than five dollars. A day's work within the meaning of this section shall be eight hours of actual service. The Board of Mayor and Aldermen may, by ordinance, provide all needful and proper rules and regulations for the organization, management and control of the street force.

Sec. 25. *Be it further enacted,* That the Board of Mayor and Aldermen shall, at its first regular meeting in April of each year, assess the number of days to be worked by each person upon the streets, and fix the amount that may be paid in lieu thereof, as provided in the preceding section.

Sec. 26. *Be it further enacted,* That any person subject to street work who shall fail or refuse to work when notified by the street foreman, or a member of the police force, shall be guilty of a misdemeanor, and shall be fined by the recorder, not less than three nor more than six dollars, and in default of payment thereof shall be held to work out the same in the work house or chain gang.

ARTICLE VIII.—MISCELLANEOUS PROVISIONS.

Section 1. *Be it further enacted,* That the Board of Mayor and Aldermen shall have power to anticipate the annual revenue by borrowing money to meet the payments of interest on the bonded debt of the town; *Provided*, the amount borrowed in any year shall not exceed fifty per centum of the tax levy for the interest fund for that year.

Sec. 2. *Be it further enacted,* That no member of the Board of Mayor and Aldermen, or any other person, shall have power to make any contract for, or create any liability on behalf of said board, or funds under its control, except by express authority of the board, conferred at a legal meeting of the same.

Sec. 3. *Be it further enacted,* That no member of the Board of Mayor and Aldermen, or officer elected by said board, shall be interested in any contract, or

*Amount in lieu
of work.*

*Misdemeanor
to refuse to
work.*

*Interest on
bonded debt.*

*Contract, who
may.*

*Members of
board shall
not be inter-
ested in con-
tracts.*

work of any kind whatever, under its control and direction, and any contract in which any such person shall have an interest, shall be void and cannot be enforced.

**Charges
against mem-
bers.**

Sec. 4. *Be it further enacted*, That to enable the Board of Mayor and Aldermen to fully investigate charges against its own members, or other officers or agents of the town, or such other matters as they may deem proper, the Mayor or Recorder; at the request of the board, are hereby empowered to issue subpoenas and other-compulsory process to compel the attendance of persons and the production of books and other papers before the Board of Mayor and Aldermen, or any committee of the same, and the board may prescribe and enforce penalties for a failure or refusal to obey such process.

**Terms of of-
ficers.**

Sec. 5. *Be it further enacted*, That all persons holding office in the town of Johnson City, under and by virtue of an Act passed and approved April 1, 1893, entitled, "An Act to amend the charter of the town of Johnson City, in the county of Washington, provide for an election of officers, prescribe their duties, and for other purposes," shall continue to hold the same under their present election, or appointment, until the term of said office shall expire as fixed by said Act, and until their successors are elected and qualified as provided in Article II. of this Act; and all ordinances of the town of Johnson City existing immediately before the passage of this Act, not inconsistent herewith, shall be and remain in full force and virtue, and all legal and subsisting obligations, liabilities, actions, claims, contracts, and prosecutions arising under said Act shall remain and continue as if this Act had not been passed.

A public act.

Sec. 6. *Be it further enacted*, That this Act is declared to be a public Act, and may be received and read in evidence in all courts and places, and proceedings of the Board of Mayor and Aldermen, may be proved by the certificate of the recorder, under the seal of the town. Printed copies of the by-laws and ordinances of the town of Johnson City, either purporting or proved to have been published under the authority thereof, or proved to be commonly admitted as evidence of the existing ordinances of said town in the recorder's court of the town, shall be admitted in all the courts of this State as presumptive evidence of such laws and ordinances.

Sec. 7. *Be it further enacted*, That all laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 8. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed January 27, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved January 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 211.

[SENATE BILL No. 355.]

AN ACT to incorporate the City of Sweetwater, Monroe County, Tennessee, and to provide for the government and control of same and to establish a school district therein and to support the same by taxation, and to provide for an election of officers for said city and school district, and to repeal the charters of the old corporation now existing in said Sweetwater; to provide for the transfer of the property of the old corporation to the new one, and to provide when this act shall go into effect and for other purposes.

ARTICLE I.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the town of Sweetwater, in the county of Monroe, and the inhabitants thereof, be, and are hereby, constituted a body politic and corporate, under and by the style and name of the Mayor and Aldermen of the city of Sweetwater, and shall have perpetual succession by their corporation name, may sue, be sued, plead, and be impleaded, grant, receive, purchase and hold real, mixed, and personal property, or dispose of the same, for the benefit of said town; may have and use a seal.

Powers.

Sec. 2. *Be it further enacted*, That the corporation aforesaid shall have full power and authority to enact and pass such laws and by-laws, prevent and remove nuisances, to provide for licensing and regulating office, auctions, taxing, regulating or restraining theatrical or other public amusements, and to restrain and prohibit gambling, to regulate the sale of spirituous liquors, to establish night watches, and patrol, to ascertain, when necessary, the boundary and location of streets, lanes and alleys, to pave and keep in repair the streets and alleys, pass all necessary laws for the same, to establish the necessary inspections within the town, to enact all necessary laws for the regulation of the markets, drays, and personal privileges, to provide for the establishment and regulation of fire companies, the sweeping of chimneys, and safe condition of flues and chimneys, to provide water by the digging of wells, or otherwise, to establish and regulate pumps, pipes, and sewers; to impose and appropriate fines, penalties and forfeitures for a breach of the by-laws or ordinances; to appoint or elect a recorder, treasurer, and all other officers or committees necessary to carry on the business of the corporation; to levy and collect taxes for the purpose of carrying the necessary measures into operation for the benefit of said town; and to pass all laws and ordinances necessary and proper to carry the intent and meaning of this Act into effect, and to have all power given a municipal corporation by the laws of same; *Provided*, they are not incompatible with the Constitution and by-laws of this State.

ARTICLE II.—BOUNDARY.

Boundaries.

Section 1. The corporation limits of the corporation of the city of Sweetwater shall be as follows: Beginning in the middle of the track, Southern railway, on the line between G. M. McKnight's and R. Gant's land and running with said line eastwardly five hundred (500) feet, to a stake; thence in a southwardly direction crossing the Fork Creek road in a direct line crossing the head of J. C. Warren's spring, known as the old Ramsey spring, to a rock on the north side of the Madisonville road; thence with the north side of the Madisonville road in a westward direction crossing the Sweetwater and Christienburg road to May's and Bradley's corner; thence west crossing the line of the Southern railroad to the corner of the lands of T. L. Weeks, Mrs. Julia R. Love and the Moore heirs; thence in a northward direction to the corner of the land of

the Moore heirs, and the Chas. Cannon heirs; thence west one half mile to the corner of the land of Thos. Moore's heirs, and Chas. Cannon's heirs; thence north to the corner of the land owned by McCarroll, Levi Beardsheer and Mrs. Lon R. Boyd; thence east to the east side of Prince Street; thence northwardly to the south side of the Pond Creek road; thence with the south side of the Pond Creek road to the northeast corner of Levi Beardsheer's yard fence at the Philadelphia road, near Sweetwater creek; thence in an eastwardly direction to the corner of the land owned by G. M. McKnight, J. E. Williams, Levi Beardsheer, and R. Gant; thence in an eastwardly direction with the line between McKnight and Gant to the center of the railroad, the beginning.

ARTICLE III.—ELECTION.

Section 1. The city council may divide the city into wards, not exceeding five in number; and define their boundaries by ordinance, and may from time to time alter the same, *Provided*, that no ward shall be changed within one year preceding the bi-ennial election. And, *Provided*, further, that the first election held here under members of the Board of Aldermen and the Mayor and other officers, to be elected by the voters, shall be elected from the city at large.

Sec. 2. *Be it further enacted*, That the present recorder of the corporation of Sweetwater, after giving ten days' notice in writing shall, by himself or some one, duly authorized by him, hold an election in the city of Sweetwater on the first Thursday in July, 1897, and on the same day every two years thereafter, for the purpose of electing six persons to serve as aldermen, and one person for Mayor, and one other person for town constable or marshal, and one other person for county magistrate for the corporation of the city of Sweetwater for two years, except as to the magistrate, who shall serve six years, commencing on his election and qualification, *Provided*, this shall in no way effect the office of the present incumbent, until his time shall expire or his office shall become vacant from any other cause. And all persons living within the limits of said corporation who would be qualified to vote for members—a freehold within the bounds of said corporation, and who are citizens of this State, shall be entitled to vote for Mayor and Aldermen, town constable, and magistrate for said corporation; and no person shall be eligible for the office of Mayor, Aldermen, town con-

Election
wards.

Officers, how
and when
elected.

stable, or magistrate unless he be a citizen and a freeholder in the city of Sweetwater, and in case of death, removal, or resignation of any one of the officers of said corporation, the Mayor and Aldermen shall have the power to fill such vacancies for the unexpired time, except as to the magistrate, who shall be elected by the qualified voters.

Certificate of election, etc.

Sec. 3. *Be it further enacted*, That the person so qualified as the aforesaid, having the highest number of votes at any election held shall be taken as duly elected, and the recorder, or his deputy, holding the election, as aforesaid, shall, within three days thereafter, give to each of the six aldermen, Mayor, constable, and magistrate a certificate of their election, and it shall be the duty of the person so elected to meet at the city hall of Sweetwater on the next day, or as soon thereafter as practicable after their election is certified, and after having been qualified, the Mayor and aldermen, four of whom shall constitute a quorum, shall proceed to elect a recorder for said corporation, who shall be a citizen of said town, but not an alderman for the same time for which the Mayor and aldermen were elected, as aforesaid, and the person, or persons, appointed or elected by them shall serve two years, or until his successor is elected and qualified.

ARTICLE IV.—DUTIES OF MAYOR AND ALDERMEN.

Oath.

Section 1. *Be it further enacted*, That the Mayor and aldermen of said city shall, before entering upon the duties of their office, take an oath before some justice of the peace of Monroe County, to faithfully, uprightly, and honestly demean themselves as Mayor and aldermen of said corporation during their continuance in office.

Other officers and committees.

Sec. 2. *Be it further enacted*, That it shall be the duty of the Board of Mayor and Aldermen, as soon after their organization as practicable, to elect or appoint a recorder, treasurer, and such other officers and committees as they shall deem proper for the purpose of carrying on the business of said corporation, whose duties will be hereinafter defined.

Work-house.

Sec. 3. *Be it further enacted*, That the Board of Mayor and Aldermen of said corporation shall have full power and authority to erect a workhouse and lock-up or calaboose for the safe keeping of persons convicted of any violation of any by-laws or ordinances of said corporation who fail or refuse to pay, or secure

to be paid, the fine and cost accruing thereon. The Mayor and aldermen may provide, by ordinance, for their confinement in said workhouse, lock-up or calaboose, and put them to work for the town within an enclosure, or on the streets, and other public works, under proper guard, or secure by ball and chain, at such wages as the board may adopt by ordinance, until said fine and cost are paid.

Sec. 4. *Be it further enacted,* That the Mayor and ^{Police.} Board of Aldermen, shall have full power and authority to appoint a marshal, and as many policemen as in their judgment they may deem necessary, at any time, to preserve the peace and quiet of the town, or to enforce the ordinances of said corporation, to fix their terms of office, and regulate the salary of the same; said watchman or police so appointed shall have power to execute all process that the town marshal or constable is authorized to execute, *Provided*, that said watchman or police shall not have authority to collect municipal taxes. Said Board of Mayor and Aldermen to have power and authority to appoint all other officers and agents for the corporation that [they] may deem necessary, and provide by ordinance for the compensation of said officers or agents.

Sec. 5. *Be it further enacted,* That the Board of ^{Dismissal or removal.} Mayor and Aldermen shall have full power to dismiss or remove any officer or agent appointed or elected by them, including the recorder or marshal, for incompetency or violation, neglect, or disregard of the duties imposed upon them by the laws and ordinances of said corporation, *Provided*, two-thirds of the Board of Mayor and Aldermen concur in this dismissal or removal.

Sec. 6. *Be it further enacted,* That the Board of ^{Streets, etc.} Mayor and Aldermen of the city of Sweetwater shall have full power and authority to lay off and open new streets, lanes, and alleys, in said city, and extend the old ones for the convenience of the inhabitants thereof, in the manner and mode prescribed by Sections 1388, 1389, 1390, and 1391, of the Code of Tennessee, and may, by ordinance or otherwise, require owners of property to place good, substantial brick or stone or other pavements in front and on one side of their property. In the event owner should fail to make side walks or pavements as hereinbefore provided, the Board of Mayor and Aldermen may make same and charge the expense of same to the property and it shall become a lien upon the property to be enforced as other liens of like character are enforced by law, and shall

be superior to all other liens, except vendor's and mechanic's liens.

Arrests.

Sec. 7. *Be it further enacted,* That the Mayor and Aldermen of the city of Sweetwater shall have power and authority, by ordinance, within the city, to provide for the arrest and confinement, until trial of all rioters and disorderly persons within the city by day or night, and to authorize the arrest and detention of all suspicious persons violating any ordinance of the city, or in violation of any of the laws of Tennessee.

Franchises.

Sec. 8. *Be it further enacted,* That the Board of Mayor and Aldermen shall not grant any exclusive privilege to any person or corporation within the limits of said city for a longer period than twenty years, except the right to railroad companies to build their lines or railroad over, through, or under the streets, alleys, or lanes of the city.

Fire limits.

Sec. 9. *Be it further enacted,* That for the purpose of guarding against the calamities of fire, the city council may, from time to time, designate such portions and parts of the city as they may deem proper, within which buildings may be erected. They may prohibit the erection of wooden buildings in any portion of the city without their permission, and shall, on the petition of the owners of at least one-half of the ground included in any square of the city, prohibit the erection on the said square of any building or addition to any building, unless the outer wall thereof be made of brick or mortar, or stone and mortar, or iron, and may provide for the removal of any such buildings or addition which shall be erected contrary to such prohibitions at the expense of the builder or owner thereof, and if any such building shall have been commenced before said petition can be acted upon by the council, or if any building in the process of erection appears clearly to be unsafe the council may cause such building to be taken down after reasonable notice to the owner.

ARTICLE V.—DUTIES OF MARSHAL AND CONSTABLE.

Terms of officers.

Section 1. *Be it further enacted,* That the constable or marshal so elected shall continue in office for two years from the time of his election, and before entering upon the duties of his office, give bond, with sufficient security in the sum of one thousand dollars, to be approved by the Mayor and aldermen, for the faithful discharge of the duties of his office, and accounting for all

moneys by him collected, and the corporation taxes collected by him.

Sec. 2. *Be it further enacted,* That the constable of said corporation shall, on the first Monday of each and every month, make a written statement, under oath, and file the same, with the recorder, showing the amount of money which has been collected or received by him on taxes, fines or otherwise, due said corporation. The said constable, at the time of making said statement, shall pay all moneys collected by him, due said corporation, to the recorder, except the fees and commissions due the constable; and it shall be the duty of the recorder, to make a written report, under oath, to the Mayor and aldermen at the end of each three months during his continuance in office, and show what amount of money has been paid him, by whom paid, and on what account paid, during the preceding quarter, how much has been expended, and to whom, and the amount of quarterly reports, the report of the constable, above provided for, all of which shall be passed on by the Board of Aldermen and entered on record.

ARTICLE. VI.

Section 1. *Be it further enacted,* That it shall be the ^{Duties of recorder.} duty of the recorder to make out and certify to the constable of the corporation, on or before the first Monday in March in each year, a complete alphabetical list of persons who have failed to pay any taxes due said corporation, showing the amount of taxes due from each person; or when said recorder has good reason to believe that any portion of the taxes assessed against any person within said corporation may be lost by reason of removal, or otherwise, he shall immediately certify the same to the constable of said corporation, and said certified tax list, or lists, in the hands of the constable, shall have the same force and effect as an execution from a court of record, based on a valid judgment of the same, on any personal property to be found in Monroe County belonging to the person owing said taxes; and said constable is authorized to advertise and sell the same as in case of execution sales at law. It shall be the duty of said corporation constable or marshal to return to the office of the recorder, by the first day of May of each year, said tax list, together with a sworn statement, showing the amount of taxes by him collected, and from what collected; also, that no one of those whose taxes remain unpaid have any personal

property out of which said taxes could have been collected.

Shall receive
and receipt
for taxes.

Sec. 2. *Be it further enacted*, That in addition to the other powers and duties imposed on the recorder of said corporation, he shall have the power to receive and receipt for all taxes due said corporation until the first day of March of each and every year, and to receive and receipt for all privilege taxes and issue license, but in no case shall license issue, to the person until the money is paid for same; to be present at all the meetings of the Board of Mayor and Aldermen, and to keep a full and accurate account of all business transacted by said board, and shall record and preserve the same in a book provided for that purpose, which shall be read at the next succeeding meeting, and be approved by the board, and signed by the recorder, and countersigned by the Mayor; and, in case of the absence of the recorder, the board shall have the power to elect some one of the board to act in his stead, and such person so elected shall, during the absence of the recorder, perform all the duties imposed upon the recorder. The recorder shall turn over all moneys collected by him belonging to said corporation to the treasurer at least once every thirty days and take his (the treasurer's) receipt therefor.

Election.

Sec. 3. *Be it further enacted*, That if for any cause the recorder shall fail or neglect to hold an election for the aforesaid officers on each and every two years, he may at any time thereafter open and hold an election for the aforesaid officers, by first giving ten days' notice of said election, for the balance of the unexpired term.

Recorder to
try offenders.

Sec. 4. *Be it further enacted*, That the recorder of said corporation shall be vested with the full power and authority to try all offenses for violation of the ordinances and by-laws of said corporation, and said recorder of the city of Sweetwater be, and hereby is, invested with concurrent jurisdiction with justices of the peace, and in all cases of violation of the criminal laws of the State, or the ordinances, or the by-laws of the Board of Mayor and Aldermen of the city of Sweetwater within the corporate limits of said city, and be entitled to the same fees now allowed to the justices of the peace for like services.

Bond.

Sec. 5. *Be it further enacted*, That before entering upon their respective duties, the recorder so elected or appointed by the Board of Mayor and Aldermen shall give bond with sufficient security, to said Mayor and aldermen, in the sum of two thousand (\$2,000.00) dol-

lars, conditioned that he shall faithfully and honestly discharge all of his duties, and account for all moneys that may come into his hands by virtue of his office.

Sec. 6. *Be it further enacted,* That it shall be the duty of the recorder of said corporation to keep a cash book, in which he shall enter all cash by him received, showing the date and amount and from whom received, and on what account. He shall also enter in said book all amounts by him paid, and to whom paid, and on what account, and this book shall be opened for inspection by the Mayor or aldermen of said town at any time called for, but no one shall be allowed to take the books from the recorder's office except by the order of the Board of Mayor and Aldermen, and when the recorder's time expires, or when from any cause he ceases to be recorder, this book shall be turned over to his successor in office.

To keep cash book.

Sec. 7. *Be it further enacted,* That no money belonging to the said corporation shall be paid out except upon order of the recorder, countersigned by the Mayor, the same to be drawn by order of the Board of Aldermen; and at the expiration of his term of office, the recorder shall deliver to his successor all books and papers belonging to the corporation, and take his receipt for same, and make a final statement with the Board of Mayor and Aldermen, and pay to his successor all the moneys in his hands belonging to said corporation.

Money, how paid out.

ARTICLE VII.—TREASURER.

Section 1. *Be it further enacted,* That it shall be the duty of the treasurer when elected or appointed before entering upon his duties to give bond in the sum of five thousand (\$5,000.00) dollars for the faithful discharge of his duty and for the safe keeping and paying out and over all moneys coming into his hands, same to be approved by the Mayor, same to be paid out on order of the records countersigned by the Mayor, and he shall make written reports quarterly, which shall be sworn to by the Board of Mayor and Aldermen of all receipts and disbursements, and the board shall have access to his books for inspection at all times.

Treasurer's bond.

ARTICLE VIII.—TAXES.

Section 1. *Be it further enacted,* That the assessment of the property for taxes for corporation purposes shall be based on the assessment made by Monroe County, or what the assessment would be if no re-

Basis of assessment.

duction was made on account of corporation assessment and the recorder shall make out the tax book from the county or district assessor's books under the direction of the board, and when same is turned over to him for collection, which shall be the first of November of each year, he shall be charged with the gross amount, the treasurer's receipts and his delinquent list shall be his vouchers for same, and for which he shall receive credit, *Provided* no tax shall be assessed for corporation purposes on any property not included within the old corporation limits for the year 1897.

Sale of property for taxes.

Sec. 2. *Be it further enacted,* That when any tax shall be imposed upon any real estate lying within the bounds of said corporation, and said tax is not paid by the owner or occupant of said property, on or before the 15th of February of the year in which said tax shall fall due, and no personal property of the owner of said lot or real estate can be found within the bounds of said corporation upon which the same could be levied; then it shall be the duty of the recorder to certify the same to the first term thereafter of the circuit court of Monroe County, giving a full description of said property in each case so certified to in circuit court. It shall be the duty of said circuit court at the time to which said list is so certified to enter a judgment for the amount of the taxes due said corporation, and the cost thereon, and direct that a writ of sale shall issue to the Sheriff of Monroe County, who shall sell said real estate for the satisfaction of said taxes and cost, and in making said sale the sheriff shall be governed by the same laws and regulations which now govern sheriffs in selling land condemned by the circuit court, and sale made under writs of venditioni exponas, which tax, when collected by the sheriff, shall be paid by him to the recorder of said city, for the use of said corporation; and the purchaser at such sale shall require the legal title of said land, subject, however, to the right of redemption for two years from the date of sale, in favor of the party whose land is sold.

Farm land, how taxed.

Sec. 3. *Be it further enacted,* That land embraced in the corporate limits of said city, as defined by this Act, only used for farming purposes, shall not be subject to taxation for corporation purposes, except for road or street purposes, and same shall not exceed the levy by county for same purposes, until the same is laid off in town lots, except as to land in Monroe County are taxed for State and county purposes.

Taxes of 1895 and 1896.

Sec. 4. *Be it further enacted,* That the taxes for 1895 and 1896 assessed on the real estate by the corporation

authorities for those years, and also for the privileges uncollected, be collected as other delinquent taxes are collected, and applied to the improvement of the streets, and side walks of said city, and to other purposes as other funds or taxes.

ARTICLE IX.—DUTY OF THE MAYOR.

Section 1. *Be it further enacted*, That it shall be ^{oath.} the duty of the Mayor to preside at all the meetings of the council; to see that all the ordinances and by-laws of the corporation are enforced; to take an oath of office before he enters upon the duties of his office, and to call a special meeting of the Board of Mayor and Aldermen whenever he may deem it expedient; to make such suggestions to the Board of Mayor and Aldermen as, in his judgment, will be the most conducive to the interest of the corporation to be directed by the Board of Aldermen; to give orders upon the recorder of said corporation for the payment of any money that may be due from said corporation; in case of a tie vote on questions before the Board of Aldermen he shall vote, but not otherwise; he shall, within three months from the time he is inducted into office, or sooner, if practicable, give, in writing to the Board of Aldermen, a general statement of the condition of the city, in relation to its government, finances, sanitary condition, and suggest such improvements as he may deem proper; he shall, at all times, have access to the books and records in the office of the recorder. When he desires to speak on any question before the Board of Aldermen, he shall call one of the aldermen to the chair, who shall preside until the Mayor has concluded his remarks, and in case of the absence of the Mayor, the aldermen shall elect one of their number to preside during his absence; and the person so elected shall, while so presiding, have all the powers and perform all the duties enforced on the Mayor.

ARTICLE X.—SCHOOL.

Section 1. *Be it further enacted*, That the city of ^{Special school district.} Sweetwater is hereby created a special school district, and that the common or public school of said city shall be managed and controlled by a Board of School Directors, composed of three persons, who shall be bona fide citizens and residents of said city, whose term of office shall be as herein provided, and shall be elected by the Board of Mayor and Aldermen of said town, as

Directors. follows: At the first meeting held three directors shall be elected, one for two years, and one for four years, and one for six years, and that thereafter one director shall be elected at each regular election; said directors shall have all the power and perform all the duties now required and allowed by the law of the State, and to the district school directors and district clerks; said district shall be known as the "City of Sweetwater District." Said directors shall organize as district school directors or commissioners organized and act under the general laws of the State, or in reference to the public school fund and be under the supervision of the County and State Superintendents as other public school directors for districts under the general public school laws of this State; said Board of Directors of the city of Sweetwater shall be a body corporate, in like manner as district school directors now are under the general school laws, and with the same powers and duties. Said Board of Directors shall, at its first meeting, appoint one of their number and another clerk who shall hold the respective place for the period for which they were elected, and until their respective successors are appointed or elected and qualified.

To be a corporate body.

Duties of chairman and clerk.

General laws to apply.

School fund.

The duties of the chairman and clerk shall be the same as under the general public school laws of this State; and they shall also make reports to the Board of Mayor and Aldermen as required, and be under their supervision and control, as herein set out; they make reports to the said Board of Mayor and Aldermen at least once a year. Said Board of Directors may take and hold real and personal property for public school purposes, and may sell and convey the same when for the best interest and advantage of the public schools of the town. The general laws of the State, in regard to common schools shall apply to the city of Sweetwater, as far as the same are not modified herein, and said city of Sweetwater shall be entitled to all sums of money from the public school funds that it would be entitled to receive if the district was organized under the general laws of this State, that the County Trustee of Monroe County be, and he is hereby required to pay over, on the warrants issued by said directors the pro rata of the school fund, assessed and collected by the county on property, poll and privileges within the corporate limits of the city of Sweetwater, to be used by said directors as hereinbefore directed and provided, and also to pay over to, and on account of, city of Sweetwater's district directors, the proper pro rata of the funds for common or public schools that shall come into his

hands from the State of Tennessee, according to the scholastic population of said city, and in the same way as to other school directors in the county.

Sec. 2. *Be it further enacted*, That said Board of Directors are empowered to sell all school property if they see proper now in the city of Sweetwater, and use the proceeds in purchasing other school property. May sell
school prop-
erty.

Sec. 3. *Be it further enacted*, That the Board of Mayor and Aldermen of said city are authorized to levy and collect a special school tax, as other taxes are levied and collected, for the purpose of erecting sufficient buildings for the accommodation of the scholastic population of the city of Sweetwater, said special tax not to exceed the total levy made by the State and county for State and county purposes. Special school
tax.

Sec. 4. *Be it further enacted*, That this Act shall in no way interfere with the election of other school directors in the first civil district in Monroe County, Tennessee, at any general election held within the limits of said corporation, *Provided*, that such directors for the district outside of the limits of the corporation shall not reside within the limits of said corporation. Other school
directors.

ARTICLE XI.—COMPENSATION.

Section 1. *Be it further enacted*, That no person elected to the office of alderman shall be allowed as pay for his services as such alderman more than two dollars per month. The Mayor and recorder and aldermen shall receive such salary as the Board of Aldermen may allow, not to exceed two dollars per month as to the aldermen, and not to be increased or decreased during their respective terms of office. The marshal shall receive a stated salary per month, to be determined and ordered paid by the Board of Mayor and Aldermen, and in addition he shall receive such fees for arrests and guarding prisoners, etc., as the sheriff or constable is allowed by law for such service, *Provided*, however, that the corporation shall not be liable to the marshal or constable or recorder for any costs in criminal cases where same are not collected off of the parties in arrest or any other case; the recorder in addition to the salary paid by the corporation shall receive the ordinary fees and costs allowed by law to justices of the peace in all cases of like service, *Provided* same shall not be collected off of corporations as above stated. Compensation
of officers.

ARTICLE XII.—MISCELLANEOUS.

City attorney. Section 1. *Be it further enacted,* That the Board of Mayor and Aldermen shall have the right to elect some one learned in the law to act as attorney for the corporation, and to fix the salary for such officer.

Terms of present officers. Sec. 2. *Be it further enacted,* That unless otherwise specially provided, that the person holding any of the offices provided for in the charter which have heretofore existed under the charter in force immediately before its adoption shall continue to hold the same under their present election or appointment, until the term of said office, as herein provided, shall expire, stating the commencing of such term from the time fixed in said former charter or former by-laws of the incorporation of Sweetwater and all ordinances immediately before the passage of this charter, as far as consistent herewith, and all liabilities, action, claims, contracts, and prosecutions arising thereunder, shall remain and continue as if this Act had not been passed.

Arrests. Sec. 3. *Be it further enacted,* That at any time when the recorder is sick or absent, it shall be the duty of any justice of the peace of Monroe County, on application of the marshal or Mayor of said corporation, to issue warrants for the arrest, and try any person or persons, who have been guilty of any violation of any of the by-laws or ordinances of said corporation, and said justice in so doing shall have the same power as the recorder under like circumstances.

Elections by wards. Sec. 4. *Be it further enacted,* That after the first general election, herein provided for, the said elections thereafter shall be held by wards, in the event the Board of Mayor and Aldermen shall see proper to, and should divide the city up into wards as herein provided for, by ordinance, and two aldermen shall be elected from each ward. Said aldermen shall live in, and own real estate as hereinbefore provided in the said ward to which he is elected to represent.

Marshal to control street hands. Sec. 5. *Be it further enacted,* That the marshal elected, or appointed, by the Board of Mayor and Aldermen, shall have charge of work hands of the streets, keep their time, and see that they do good work.

Present charter repealed. Sec. 6. *Be it further enacted,* That the charter of the now existing corporation of Sweetwater be, and the same is, hereby repealed, and all the property real, personal, and mixed together with any moneys, choses in action, rights of action, and fines and forfeitures belonging to the old corporation here repealed, or belonging to the school board of the old corporation are

hereby declared to be the property of the new corporation. The city of Sweetwater herein, and hereby, chartered, and shall be due and payable to, and be under the control of the new corporation as soon as the same is organized under this charter, and that after the new corporation organized under its charter, the proper officers thereof may take possession of the realty of the old corporation, and may sue for, and collect the moneys chosens in action, and may sue for the personality of the said old corporation, and the officers of the old corporation, and their bondsmen shall be liable to the new corporation, when the same is organized, for all the money and property of the old corporation that came into their hands as such officers and the new corporation may bring suit and collect the moneys due it.

Sec. 7. *Be it further enacted,* That the present Board of Mayor and Aldermen of the corporation of Sweetwater shall hold their offices until the election of the new Board as herein provided the first Thursday in July, 1897, and until the same shall have been duly qualified, and the rights to all of the above property as stated shall then vest in the new board with all its rights and privileges as hereinbefore provided in a former section.

Present officers to hold until election.

Sec. 8. *Be it further enacted,* That before the city of Sweetwater shall be liable for damages to any person injured upon any of the streets, alleys or sidewalks of the city, the person so injured or some one in his or her behalf shall give the Mayor or city council notice in writing within thirty days after the same has been received, stating in such notice, when, where, and how the injury occurred, and the extent thereof.

Liability for damages.

Sec. 9. *Be it further enacted,* That no action can be maintained against the city of Sweetwater, for damages to persons or property by reason of defect in the street or side walks of said city, which defect was caused by or was the result of the negligence of some person other than an employee of the city, unless the said person shall be joined with the city in the same action as defendant, and, in the event of a judgment against the city in such case, the city shall not be required to pay the same until execution shall have been issued against said person and return thereof duly made that after diligent search no property could be found out of which to satisfy the same, and the city therefore should have the right to purchase the judgment from the plaintiff, by paying to him the amount of the judgment and the interest, or if the parties agree, a less amount, and receive from the plaintiff as assignment

Damage suits.

thereof and the purchase of the judgment by the city shall not operate a satisfaction of the judgment against such co-defendant of the city, but the city at any time thereafter, may have execution against such co-defendant for the amount it has paid plaintiff, together with interest thereon, which, if collected from said co-defendant under said execution, shall be paid to the city.

Bond on appeal from judgment.

Sec. 10. The city of Sweetwater, in taking an appeal from a judgment or a decree in any judicial proceedings, shall give bond as required by law. All such bonds shall be executed by the Mayor and attested by the recorder under the seal of the corporation, and shall be taken in all courts as a full compliance with the laws in such cases. All Acts or parts of Acts inconsistent with any provisions of this Act are hereby repealed.

A public act.

Sec. 11. This Act is hereby declared to be a public Act and may be read in all the courts of law and equity in this State without proof.

Sec. 12. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

Sec. 13. *Be it further enacted*, That this Act take effect from or after its passage, the public welfare requiring it.

Passed March 15, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR.
Governor.

CHAPTER 212.

[SENATE BILL NO. 277.]

AN ACT to repeal Chapter 157 of the Acts of 1895, passed May 1, 1895, and approved May 13, 1895, entitled "An act to authorize Scott county to issue bonds to the amount of one hundred thousand dollars (\$100,000).

Section 1: *Be it enacted by the General Assembly of Repeal.. the State of Tennessee,* That Chapter 157, Acts of 1895, passed May 11, 1895, and approved May 13, 1895, entitled, An Act to authorize Scott County to issue bonds to the amount of one hundred thousand dollars (\$100,000.00), be and the same is hereby repealed.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 213.

[SENATE BILL NO. 191.]

AN ACT to repeal the charter of the town of Martin, in Weakley County, and to incorporate said town and define its rights, powers, etc., and to establish and maintain a separate school district in said town, and for other purposes.

Repeal of
charter.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the town of Martin, in Weakley County, be and the same is hereby repealed, and that said town have in lieu thereof the charter hereinafter granted.

Incorporation.

Sec. 2. *Be it further enacted,* That the said town of Martin, in Weakley County, and the inhabitants thereof, are hereby constituted a body politic and corporate by the name and style of "The City of Martin," and shall have perpetual succession, that by this corporate name and style may sue and be sued, contract and be contracted with, grant, receive, purchase, and hold real, mixed, and personal property, or dispose of the same for the benefit of said town, and may have and use an official seal.

Boundaries.

Sec. 3. *Be it further enacted,* That the boundaries of said town, hereby incorporated, be as follows: Beginning at a stake in the center of the I. C. R. R. track, 2,630 feet south of the center of the crossing of the Illinois Central and Nashville, Chattanooga and St. Louis railroads; thence west $3\frac{1}{4}$ °, north 2,508 feet to an iron stake; thence north 5°, west 3,511 feet to an iron stake, 50 feet south of the center of the N., C. and St. L. R. R. track; thence eastwardly 521 feet, parallel with "right of way" of said railroad to an iron stake; thence north $3\frac{1}{4}$ °, east 363 feet to an iron stake; thence eastwardly, parallel with N., C. and St. L. railroad track, 610 feet to an iron stake; thence north $3\frac{1}{4}$ °, east 670 feet to an iron stake; thence east $3\frac{1}{4}$ °, south 1,682 feet to a stake, 50 feet west of center of I. C. R. R. track; thence northwardly 580 feet, parallel with said railroad track, to a stake; thence east $3\frac{1}{4}$ °, south 1,416 feet to a stake; thence south $3\frac{1}{4}$ °, west 570 feet to a stake; thence east $3\frac{1}{4}$ °, south 270 feet to a stake; thence south $3\frac{1}{4}$ °, west 738 $\frac{1}{2}$ feet to a stake; thence east $3\frac{1}{4}$ °, south 655 feet to a stake; thence south $3\frac{1}{4}$ °, west 3,201 feet to a stake; thence west $3\frac{1}{4}$ °, north to the beginning.

Sec. 4. *Be it further enacted*, That all the real and personal property belonging to the Mayor and Aldermen of the town of Martin, the charter of which is hereby repealed, shall hereafter belong to the corporation hereby created, "The City of Martin," and that all legal debts, claims, and demands now existing against the Mayor and Aldermen of the town of Martin, be assumed and paid by "The City of Martin," and constitute legal and valid claims against it.

Sec. 5. *Be it further enacted*, That the first general election for Mayor, Aldermen, Recorder, and Marshal, under this Act, shall be held in said town of Martin on the second Thursday in June, 1898. Said election shall be opened and held by the sheriff of Weakley County, after advertising for ten days, by written or printed posters, giving the time, place, and purpose of said election, and he shall be assisted by two clerks, to be appointed by said sheriff, and three judges, to be appointed by the Board of Mayor and Aldermen; said election shall be governed by the same laws governing the elections in this State for State and county officers. Any person who is a qualified voter for members of the General Assembly, under the laws in Tennessee in Weakley County, and who shall have been a resident of said town for the thirty days immediately preceding said election shall be entitled to a vote in said election, and have his vote counted as cast; non-residents, having a taxable freehold in said town, and who are qualified voters for members of the General Assembly at some place in Tennessee, shall also be entitled to vote. Any qualified voter may vote for one candidate for Mayor, six candidates for aldermen, one candidate for recorder, and one candidate for marshal as hereinafter provided. The sheriff holding said election shall at once make two certified copies of the result of said election, showing the names of all candidates voted for, what office they were voted for, and the number of votes received by each. One copy he shall deliver and deposit with the county court clerk of Weakley County, and the other he shall deliver to the party receiving the highest number of votes for the office of Mayor. The candidate receiving the highest number of votes for the office of Mayor; the candidate receiving the highest number of votes for recorder; the candidate receiving the highest number of votes for marshal, and the six candidates receiving the highest number of votes for aldermen shall respectively be the Mayor, the Recorder, the Marshal, and the Aldermen of said town; *Provided*, that no person shall be eligible to the office of Mayor,

Aldermen, Recorder, or Marshal of said town unless, at the time of his election, he is a qualified voter in the election in said town, and a resident citizen thereof. If in any election there should be a tie on the vote cast for two or more candidates for Mayor the matter shall be referred to the people, and another election for Mayor shall be opened and held in said town as soon thereafter as practicable; if there should be a tie on the votes cast between two or more candidates for aldermen, two or more candidates for recorder, or two or more candidates for marshal, they of the Board of Mayor and Aldermen elect among whom their is no tie, shall settle such controversy by a majority vote at their first meeting: *Provided*, further, that the present Board of Mayor and Aldermen, together with all the other officers of said corporation shall continue in office, and receive and perform all the duties now required of them by the ordinances of said corporation until their successors are elected and qualified; *Provided*, further, that all ordinances and resolutions heretofore enacted by the Board of Mayor and Aldermen of said corporation as they now exist, not in conflict with their charter, and not repealed or rescinded by them shall be and remain in full force and effect until altered, notified or repealed by the Board of Mayor and Aldermen, organized under the provisions of this Act.

Oath.

Sec. 6. *Be it further enacted*,. That the Mayor and Aldermen, before entering upon their duties, shall take an oath that they will honestly and faithfully discharge the duties of their offices without partiality, favor, or affection.

**Vacancies,
how filled.**

Sec. 7. *Be it further enacted*, That said Mayor and Board of Aldermen shall, on the first Monday in July after their election, organize and shall hold their offices as hereinafter provided, and until their successors in office shall have been elected and qualified. Any vacancy occurring either of Mayor, Recorder, Marshal, or Aldermen, whether by resignation, death, or otherwise shall be filled by the remaining members of the board.

**Officers to be
elected.**

Sec. 8. *Be it further enacted*, That at the first election held hereunder, as provided for in Section 5 of this Act, one Mayor shall be elected, and hold his office for two years; one recorder and one marshal shall be elected for one year; *Provided*, that at all subsequent elections and alternately with the Mayor, the Recorder shall be elected for two years, and three aldermen shall be elected and hold their office for two years; and three shall be elected, and hold their office for only one year,

and annually thereafter; three aldermen shall be elected and hold their office for two years, and until their successors shall be elected and qualified; *Provided*, further, that the marshal may, at the discretion of the Mayor and Board of Aldermen, be elected either by popular vote, or by a majority of the Board of Mayor and Aldermen, and if by the Board of Mayor and Aldermen, at their first meeting as herein provided; and, *Provided*, further, that at the first election hereunder the three persons receiving the highest number of legal votes for aldermen, shall be declared elected for two years, and the three persons receiving the next highest number of legal votes for aldermen shall be declared elected aldermen for one year.

Sec. 9. *Be it further enacted*, That an election shall be held annually for the purpose of electing one marshal and three aldermen, and bi-annually for the purpose of electing a Mayor in addition to three aldermen, and also bi-annually and alternately with the Mayor, a recorder after the first election as provided for in Section 5 of this Act; *Provided*, that the Mayor and Board of Aldermen shall have the right to make such regulations as they may deem best touching the manner of holding said elections, notice of same and certifying the results, which regulations shall not be in conflict with the general laws of this State; said elections shall, in all cases after the first one, be held by the marshal of the town on the order of the Mayor; *Provided*, that a failure to hold said election, at the time stated, shall not operate as a forfeiture of this charter; but that the Mayor and marshal shall be required to perform their duty by mandamus in any of the courts of this State having jurisdiction of the matter and parties.

Sec. 10. *Be it further enacted*, That the Mayor and Board of Aldermen of the city of Martin are hereby empowered:

1. To enact such by-laws and ordinances as may be necessary to preserve the health, quiet, peace, and good order of said city, including such quarantine regulation not to exceed two miles outside of the city limits as occasion may require.

2. To fix the compensation of all the officers and agents of said corporation.

3. To declare what is a nuisance and to prevent and remove the same.

4. To levy and collect taxes upon all property within the corporation limits, taxable by the laws for State purposes, and on polls; *Provided*, no levy for general

Annual elections.

Powers of board.

corporate purposes, including the annual tax levy, for the payment of bonds and the interest thereon, shall exceed one dollar on each one hundred dollars, valuation of taxable property, and shall not exceed two dollars on polls; and, *Provided*, further, that before any board shall make the tax levy for general corporate purposes, which shall be made annually, they shall first make and record on their minutes an estimate list or budget of expenses for the coming year, to which reference shall be had in making their tax levy. The tax levy shall be made annually and not later than the month of January.

5. To appropriate money and to provide for the debts and running expenses of the corporation.

6. To provide and establish a system of public schools, which shall be free from sectarian influences, and to provide for the support of the same.

7. To license and tax all privileges taxable by the laws of the State.

8. To regulate and prohibit and suppress theatrical and other shows and exhibitions.

Gaming, etc. 9. To regulate and suppress gaming and gambling houses, disorderly houses, bawdy houses, and houses of ill-fame, or assignation houses, and all houses where one or more men and women meet for lewd purposes or prostitution, or adulterous cohabitation, and they shall have power to declare all such places nuisances and abate them as such.

10. To suppress and prevent the carrying of concealed weapons or the sale of same.

11. To regulate the storage, sale, or use of fire crackers, and all other fire works, toy pistols, explosives, and combustibles.

Weights and measures. 12. To provide for the inspection, weighing, and measuring of coal, wood, and other fuel; hay, corn, and other grain brought to or sold on the market for the use of citizens of the town.

13. To establish, regulate, license, and tax markets and marketers, or persons selling produce or provisions in the town.

Fines, etc. 14. To impose fines, forfeitures, and penalties for the breach of any ordinance adopted under this Act, and to provide for their recovery, and the arrest of any party or parties breaching said ordinances, and to provide for sentences of imprisonment in the city work house; *Provided*, that no fine shall exceed fifty dollars, and no sentence of imprisonment more than three months.

15. To erect and keep a calaboose or city prison, in

which to confine all parties violating the city ordinances, under such regulations as they may, by by-laws or ordinances, adopt.

16. To erect and organize a work house in or near ~~work-house~~, the city, and provide for committing and working in said work house, on the public streets, or city works, of any person who shall fail to pay or secure any fine and costs assessed against them for the violation of any ordinance, or who, for any such violation may be sentenced to said work house, and to provide for the management and control of the same.

17. To regulate or prohibit the running at large in the streets of dogs or other animals.

18. To designate in said town certain districts as fire ~~fire limits.~~ limits, and to provide for the character of houses that may be built in said limit or limits, and to regulate the same.

19. To provide for the support and maintenance of a police force, and to appoint the same.

20. To lay said city off into any number of wards, not more than six, and change the same from time to time.

21. To pass all ordinances necessary for the health, ~~ordinances.~~ peace, convenience, safety, and good order of the town, and for the suppression and prohibition of any and all Acts and things made criminal by the laws of the State, and to provide a punishment for the breach of the same.

22. To grant rights of way through the streets and alleys of said town for street railways and other railways.

23. To condemn and take, use and appropriate any ~~streets.~~ ground necessary to widen or extend its streets, avenues, and alleys, but it shall pay to the owner or owners of said ground the actual damage done them, taking into consideration the improvements made.

24. To regulate the sale of intoxicants and ale, beer, ~~etc.~~ ^{Sale of liquors,} or malt liquors; to keep up the streets, alleys, and side walks of said town, and to fix the grade of the same, to open others, abolish, widen, or extend the same, and to pass all necessary ordinances requiring the owners of lots to make brick, stone, or plank side walks in front of their property, along any street, and if the owner refuses to provide a remedy—and create a lien on said property for the same.

25. To prevent engines or trains from blocking the streets and alleys of said town, and to regulate their speed through the town.

Building regulations.

26. To make suitable regulations for the preservation of life and property from fire and other casualty, and to pass ordinances requiring all parties before erecting any building in the town to obtain written permission from a building committee, which may be appointed and governed by suitable regulations.

27. To provide for the organization and regulation of fire companies, volunteer and otherwise.

28. To provide for a system of fire works and the control of same.

**Water-works,
lighting, etc.**

29. To provide for a system of water works and its control; erect hydrants and pumps; construct cisterns and reservoirs, to lay pipes for conducting and distributing water over the city, and keep the same in repair; to subscribe, purchase, and own stock in water companies in said town, and generally, to do all things necessary to procure and keep for said town a complete system of water works for domestic, mechanical, and other purposes, and to regulate and fix the price to be paid by consumers thereof; to provide for the lighting of the streets, alleys, and public places in said town.

Ordinances.

30. To pass and enforce all ordinances that may be necessary to effectuate and carry out the provisions of this Act, and for all purposes for the good health, good government, and general welfare of the city and the inhabitants thereof.

Streets.

Sec. 11. *Be it further enacted*, That whenever the grade of any street shall have been fixed, the same shall not thereafter be changed, unless the property holders, representing two-thirds of the frontage in feet of lots fronting upon the grade proposed to be changed shall petition for such change.

Bonds, etc.

Sec. 12. *Be it further enacted*, That the Mayor and Board of Aldermen are hereby authorized to contract indebtedness on behalf of the city and upon the credit thereof, by issuing bonds of the city and disposing of them, for the purpose of obtaining money for the following purposes: To build, construct, and operate a system of water works for said city, in or near the same, or to subscribe stock in a water works company that will furnish water for the city; *Provided*, that at no time shall the bonds issued under this authority for any one or more purposes, or for all purposes, exceed ten per cent. of the taxable values of real and personal property in said town as shown by the city assessment at the time; *Provided*, further, that before any bonds are issued under this authority the Mayor and Board of Aldermen shall draw up a proposition that shall disclose clearly and fully the amount of the bonds to be

issued, the length of time they are to run, the rate of interest, and the purpose or purposes for which they are to be issued, and shall cause said proposition to be published in some newspaper published in said city for thirty days before the day of election, which shall be called upon proper notice in said town, under regulations of the Mayor and Board of Aldermen, which election shall be called for the purpose of submitting said proposition to a vote in said city. All persons qualified at the time to vote for Mayor and Aldermen shall be entitled to vote in said election, and no bonds shall be issued under said proposition unless two-thirds of the votes cast in said election shall be in favor of said proposition; *Provided*, that the defeat of any proposition shall not preclude its resubmission; *Provided*, further, that no bonds issued under this authority shall run for less than ten years, or bear a greater rate of interest than six per cent. per annum. When any bonds are issued hereunder, for any of the purposes named, the Mayor and Board of Aldermen shall have the power to pass and enforce any and all ordinances necessary to effectuate and carry out the purposes for which said bonds are issued, and may create any and all necessary boards and commissioners, and pass ordinances regulating their actions and duties. Whenever any bonds are issued hereunder the Mayor and Aldermen shall annually levy a tax upon all taxable property and polls within the corporate limits of said city, of a sufficient amount, and for the purpose of paying the interest on said bonds, and creating a sinking fund to liquidate the same when they mature.

Sec. 13. *Be it further enacted*, That upon the organization of the first board, and all other boards thereafter, or as soon thereafter as possible, the Mayor and Board of Aldermen shall elect a city attorney, a city treasurer, a city tax collector, a city tax assessor, and a city street commissioner, whose term of office shall be for one year, and shall provide for the compensation of said officers; *Provided*, that the recorder, by virtue of his office, shall not be ineligible to any one or more of the offices of city treasurer, city tax assessor, or city tax collector; and, *Provided*, further, that no person shall be eligible to any of these offices, unless at the time he would be eligible to the office of Mayor. They shall, also, upon the organization of the first board, elect six qualified voters in said town, who can read and write, as city school directors, two of whom shall hold their office for one year, two for two years, and two for three years, and annually thereafter, they shall elect two members

Officer selected
by board.

School direc-
tors.

of said board whose term of office shall be three years. They shall, also, from time to time, appoint all necessary committees to carry out the provisions of the charter, and all ordinances passed by them hereunder, and shall fill all vacancies in the offices above stated, at any time occurring.

**Salary and
duties of
mayor.**

Sec. 14. *Be it further enacted,* That the compensation of the Mayor shall be fixed by the Board of Aldermen, but shall not exceed four hundred dollars per annum. He shall preside at all meetings of the board, unless absent, for which provisions shall be made. He shall see that all the by-laws and ordinances of the town are properly respected and enforced, and shall have such other authority and perform such other duties as the Board may from time to time grant and impose; and in the absence, inability, or incompetency of the recorder, shall have all criminal jurisdiction hereinafter given to the recorder of the town for the violation of the ordinances or of the criminal laws.

Recorder.

Sec. 15. *Be it further enacted,* That the recorder of the city shall hold his office for a term of two years, and until his successor in office is elected and qualified, unless he is sooner removed by the board for good cause. He shall try all offenders brought before him for a violation of any of the city ordinances, and he shall have, and is hereby given, all the rights, authority, duties, powers, and jurisdiction in all cases, both criminal and civil, that the justices of the peace in Weakley County have, and from time to time may have; and for his services in all cases, including cases for a violation of the city ordinances, he shall receive such fees as justices of the peace receive for similar services. He shall keep a recorder's docket book, such as is kept by justices of the peace, and in the same way. He shall keep his corporation cases in a separate book to themselves. He may simultaneously, and in addition to his own office, hold the office of city treasurer, city tax assessor, and city tax collector, or any one or more of the same. Before entering upon his duties he shall give a bond, in such conditions and penalties as the board may prescribe, and take an oath faithfully to discharge his duties. He shall draw all orders, when directed by the board, on the city treasurer, disbursing the funds of the city. He shall settle with the city treasurer as often as the board may prescribe, but not less than once every three months, and shall have such other powers and do and perform such other duties as the board may, from time to time, grant and direct.

Marshal.

Sec. 16. *Be it further enacted,* That the city marshal

shall be the criminal officer of the town and chief of police. He shall hold his office for a term of one year, and until his successor in office is elected and qualified, unless sooner removed by the board for good cause. He shall arrest all persons violating any of the criminal laws of the State or ordinances of the town, and take them before the recorder or some other person authorized by law for trial or examination. When in his judgment it is necessary, he shall have the power to confine any one so arrested in the city calaboose or jail. He shall have all the power, authority, duty, and jurisdiction within the corporate limits of the city, as to all process, criminal or civil, that constables have, and, from time to time, may have; and his criminal jurisdiction and authority shall extend for one mile beyond the city limits. He shall have all other such authority, and do and perform all such other duties as the board may, from time to time, grant and direct. Before entering upon his duties he shall give bond in such conditions and in such penalties as the board may prescribe, and shall take an oath faithfully to perform the duties of his office.

Sec. 17. *Be it further enacted,* That the city treasurer ^{Treasurer.} shall be the financial agent of the town and the custodian of the funds. He shall hold his office for one year, and until his successor in office is elected and qualified, unless he is sooner removed for a good cause. He shall, before entering upon the duties of his office, give good bond in the penalty, and upon such conditions as the board may prescribe, and shall have all authority, and do and perform all such acts as the board may grant or direct, and shall take an oath faithfully to perform the duties of his office.

Sec. 18. *Be it further enacted,* That the city attorney ^{City attorney.} shall be the legal adviser of the city, and shall hold his office for a term of two years, and until his successor is elected and qualified, unless sooner removed by the board for good cause. He shall have such authority and perform such acts as the board may grant and direct.

Sec. 19. *Be it further enacted,* That the assessment ^{Assessments.} for taxes for the year 1897, and every year thereafter, shall be made on or before April 1. The assessment shall be made by the city assessor, who shall be governed by all the laws of the State governing assessors for the State, and shall have all the rights and authorities.

Sec. 20. *Be it further enacted,* That there shall be a Board of Equalization for said city, to go over the assessment and equalize the same. It shall consist of ^{Board of Equalization.}

the Mayor, the assessor, and three resident free holders in said town, appointed by the Mayor, who shall meet annually on the first Monday in May. All parties aggrieved by their assessment may appear before such board and present their grievance, and, if after their appearance there they are aggrieved by their decisions, they may, in two days thereafter, appeal to the Mayor and Board of Aldermen.

Tax.

Sec. 21. *Be it further enacted,* That the annual tax levy shall be made at the stated meeting of the board in January. Said taxes, when levied, shall have all the force and effect given by the State laws to the State taxes in this State.

Tax books.

Sec. 22. *Be it further enacted,* That as soon as practicable after the adjournment of the equalization board, the assessor shall make out the city tax books in duplicate. They shall be made out not later than July 1st. One copy of said tax books shall be delivered to the city tax collector and the other to the Mayor. The taxes for each year shall be due and payable on and after the first day of August. The city tax collector, in collecting said taxes, shall have all powers, rights, and authority that belong by law to county trustees in the collecting of State and county taxes. The collector shall make out a list of all delinquent taxes remaining on his books, and deliver the same to the city marshal, or such other person as the board may direct, not later than the first Monday in February next following the year for which said taxes were levied. The city marshal, or party receiving said delinquent taxes, shall have all the powers and rights and compensations in their collection that constables and delinquent tax collectors now have in collecting State and county taxes, and shall make his return on the first Monday in June of each year to the collector. Before taking such taxes, he shall enter into bond in such penalty and of such conditions as the board may prescribe. After the return of said marshal, or delinquent tax collector, the city collector shall at once make out and deliver to the city attorney a list of all said taxes still remaining delinquent, which it assessed against real estate, and the city attorney shall thereupon proceed to collect said delinquent taxes, proceeding in all respects, and being governed by all the laws in their collection governing at this time attorneys for the collection of State and county taxes in this State; and all laws governing said delinquent State and county taxes at this time, shall govern these delinquent taxes.

Privileges taxes Sec. 23. *Be it further enacted,* That the recorder shall

be the collector of privilege taxes in the city, and shall have all rights, powers, and compensation, in their collection that county court clerks now have, or may hereafter have, in this State in the collection of privileges due the State and county.

Sec. 24. *Be it further enacted,* That the city of Martin is hereby created a separate school district, and the public schools in said city shall be managed and controlled by the school board hereinafter provided for. Said Board of School Directors, at their first meeting, shall organize, by electing one of their number chairman, another secretary, and another treasurer. The said Board of Directors, by their name and style of the "Board of Directors of the Martin High School" shall be a body corporate, with power to sue and be sued, contract and be contracted with, and to take and hold real and personal property for school purposes, and to sell and convey the same when for the best advantage of the schools of the city. The officers of said board shall hold their offices for a term of one year, and until their successors are elected and qualified. The treasurer, before entering upon his duties, shall give such bond as the board may prescribe, payable to the Board of Directors of the Martin High School. He shall be entitled to receive from the State and county officers all moneys that said school district may, from time to time, become entitled to from public school funds, the same as if it were organized under the school laws of the State, said money to be paid to him on an order or orders drawn in his favor by the chairman and clerk of the board; and in the same way he shall receive all moneys belonging to said school for the city of Martin. He shall pay out said funds on the order of the chairman and clerk of said board. Said school directors shall be governed by the State law governing school directors, when not in conflict with this Act.

Sec. 25. *Be it further enacted,* That whenever the school fund, payable to this school district, from the State and county, shall be insufficient to run said school for nine months in each year, the Board of Directors may certify that fact to the Board of Mayor and Aldermen, with an estimate of what amount will be necessary to meet the deficiency therein for the ensuing year, and the Mayor and Board of Aldermen shall levy and collect the amount of such estimate as provided for the levy and collection of other taxes for city purposes; *Provided*, such levy shall not cause the total levy for city purposes to exceed the limit for levies fixed in Section 9, sub-Section 3, of this Act.

Separate
school district

Board may supply omissions.

Sec. 26. *Be it further enacted*, That whenever in this Act, any omissions are made in defining the duty or authority of any officers provided for herein, and which is essential properly to carry out the objects of this Act, the Mayor and Board of Aldermen are hereby granted authority to supply such omission, and they are further given power and authority to do any and every thing necessary to carry out the objects of this Act.

Tie votes.

Sec. 27. *Be it further enacted*, That the Mayor and Board of Aldermen shall have the power to provide by ordinance for the settling of all tie votes in any election for any of the city officers not otherwise provided for in this Act, and may provide for contests and the mode of such contests.

Franchises.

Sec. 28. *Be it further enacted*, That the Mayor and Board of Aldermen shall have the power and right to grant franchises to railways and street railways of any kind, gas companies, water companies, electric light companies, and any other company that may improve the town and increase the value of property therein.

Sec. 29. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Sec. 30. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 8, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 12, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 214.

[HOUSE BILL NO. 436.]

AN ACT to reduce the acts incorporating the city of Bristol, and the various amendments thereto, to one act and amend the same and to reduce and define the limits thereof.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Act incorporating the city of Bristol, and all the various amendments thereto, be and the same are hereby amended so as to read as follows: The inhabitants of the city of Bristol, Sullivan County, Tennessee, within the boundaries herein set out, viz.: Beginning at a point thirty feet south of the planted stone in a field, formerly belonging to Z. L. Burson, which point is west of the property owned by Mrs. Joseph Pile; thence east with the center of Main street to a point in the center of said Main street directly south of the western boundary line of the Bristol Cemetery; thence north to the line dividing the State of Tennessee from Virginia; thence east with said State line to a planted stone in a field, the same being two and one-half miles east of the beginning corner; thence south with the old corporation line, marked at intervals with planted stones, a distance of one mile to a planted stone near the Paperville road; thence west two and one-half miles, marked at intervals with planted stones, this being the southern boundary line as formerly run, marked and established, to a planted stone, the old corner; thence north one mile less thirty feet to the beginning; are hereby constituted a body politic and corporate, by the name and style of the Board of Mayor and Aldermen of the City of Bristol; *Provided*, however, that nothing in this Act shall operate so as to effect the existing line between the States of Virginia and Tennessee.

Sec. 2. The Board of Mayor and Aldermen of the city of Bristol shall have perpetual succession; shall sue and be sued; plead and be impleaded in all the courts of law and equity, and in all actions whatsoever; may purchase, receive, and hold property, real and personal, within or beyond the limits of the city, to be used for the burial of the dead, for the erection of water works, work house, or for any other necessary corporation purposes, and may sell, lease, or in any other manner

Powers of
mayor and
aldermen.

dispose of said property for the benefit of the city, and do all other acts touching the same, as natural persons, and may use a common seal and may change it at pleasure.

Corporate authority.

Sec. 3. The corporate authorities of said city of Bristol shall be vested in a Board of Mayor and Aldermen, and such other officers as may be appointed or elected in pursuance of law. The legislative powers of said corporation shall be vested in and exercised by a Board of Mayor and Aldermen. The Board of Mayor and Aldermen shall be composed of a Mayor and nine Aldermen, who shall be elected by the qualified voters of said city at an election to be held for that purpose, at the time and in the manner as follows: A Mayor shall be elected at the same time and in the same manner as the aldermen are elected and shall hold his office for a term of two years. At such an election the candidate for Mayor receiving the greatest number of votes shall be elected and installed into office. Three aldermen shall be elected each and every year, at an election to be held in said city, by the city constable, sheriff of Sullivan County or his deputy, on Tuesday after the first Monday in May, and shall hold their office for the term of three years, and until their successors are elected and qualified, except that nine aldermen shall be elected on Tuesday after the first Monday in May, 1897, who, after their election and qualification, shall decide by lot who shall hold for one year, who shall hold for two years, and who shall hold for three years, and the proceedings shall be entered on record. In case any two or more candidates for aldermen receive the same number of votes, as soon as the result is known, the officer authorized by law to hold the city election shall at once proceed to advertise the time and place of holding another election to decide said tie, at which election any person qualified to hold the office of aldermen may be a candidate, and the person receiving the greatest number of votes shall be declared elected. No person shall be eligible to the office of Mayor or Aldermen who is not a citizen of Tennessee, and who has not been a resident of said city for at least two years immediately preceding his election, and shall be a free holder in the city, and should either cease to be a resident of this city his office shall thereby be vacated.

Installation and oath.

Sec. 4. The installed Board of Mayor and Aldermen shall meet on the first Monday following each election and canvass the returns of said election, and announce the result: the newly elected Mayor and Aldermen shall meet on Tuesday following their election and be in-

stalled into office. The newly elected Mayor and Aldermen shall be inducted into office by being sworn before the recorder to faithfully and honestly discharge the duties of their office, to which they have been elected, to the best of their ability.

Sec. 5. The Board of Mayor and Aldermen shall ^{Further powers of the board.} judge of the qualifications, election, and the correctness and regularity of the returns of the elections of its own members, and shall prescribe rules for and determine any contest of the election of its members. It may determine its rules of proceedings and prescribe the punishment of its members for non-attendance or disorderly conduct, and enforce the same. Two-thirds of the aldermen concurring, it may impeach and expel a member for improper conduct while in office. It shall require a majority of the aldermen to form a quorum for the transaction of business, but a smaller number may adjourn from time to time, and under a provision of an ordinance may compel the attendance of absent members by fines and penalties.

Sec. 6. To enable the Board of Mayor and Aldermen to fully investigate charges against its members, or other officers of said city or such other matters as they may deem proper, the Mayor or Recorder at request of the board is hereby empowered to issue subpoenas and compulsory process to compel the attendance of persons as witnesses, and the production of books and papers before the Board of Mayor and Aldermen or any committee of the same.

Sec. 7. The Board of Mayor and Aldermen shall hold meetings at such times as they may determine, not exceeding two regular meetings per month. Aldermen shall receive such compensation for their services as aldermen as the board may fix, not, however, exceeding one dollar and fifty cents each for each attendance.

Sec. 8. Where two or more persons shall have an equal number of votes for the office of Mayor, the election shall be referred back to the voters of the city, and held as before within the next succeeding twenty days. The Mayor may be impeached by the Board of Aldermen for misfeasance, malfeasance, or non-feasance in office, and two-thirds of the Board of Aldermen concurring, he may be removed. If the Mayor should be impeached and removed, then the Board of Aldermen shall elect one of their members to act as Mayor until an election for Mayor can be held to elect a Mayor for the unexpired term, which election shall be held within the next thirty days after such impeachment and removal.

Term of mayor or, etc. Sec. 9. The Mayor shall hold his office for two years or until his successor is elected and qualified. It shall be the duty of the Mayor to preside at the meetings of the board; to carefully examine the bills and ordinances passed, and should either or any of them, in whole or in part, not meet his approval, he shall return the same to the next regular meeting of the Board of Aldermen with his objections in writing, either to the whole or any part of such bills or ordinances, and no bill or ordinance so vetoed by the Mayor, or part of same so vetoed, shall go into effect, unless the same be passed by a two-thirds vote of the whole number of members of the Board of Aldermen. The Mayor may veto part and approve part of any bill or ordinance and that part he approves shall go into effect at once, but the part vetoed shall not go into effect unless passed by two-thirds vote as above provided. No bill or ordinance shall become a law without first having been read and passed at (two) several meetings, by a majority vote, and not until said bill shall have been signed by the Mayor, or without his signature, as provided in this Act. The roll of members shall be called and the vote of each member voting shall be recorded in the passage of all bills and ordinances. If the Mayor fails to return any bill or ordinance at the next meeting after its passage, he shall be deemed to have approved the same, and it becomes a law without further action. The Mayor shall have the power to make pro tempore appointments to fill vacancies caused by sickness, absence, or other disabilities of any city officer, and to suspend any city officer or officers for misconduct in office, or neglect of duty, reporting his actions, with his reasons therefor to the next meeting of the Board of Aldermen, by whom final action shall be taken; but he shall not have the power to fill vacancies, or suspend members of the Board of Aldermen, nor to appoint any one to hold the city court, in case of sickness, disability, or absence of the recorder. He may, whenever in his judgment, the good of the city requires it, call special meetings of the Board of Aldermen, and when so called, he shall state by message the object for which it has been called, and the business of such meeting shall be restricted to the object so stated. The Mayor shall at least once in every six months cause the recorder to present to the Board of Aldermen a full and complete statement of the financial condition of the city. The Mayor shall, from time to time, communicate to the Board of Aldermen such information and recommend such measures as may, in his judgment, tend to the general welfare of the city.

Special meetings.

He shall appoint such committees from the Board of Committees. Aldermen as may be necessary for the speedy and efficient transaction of the public business and promotion of the public good. He shall take care and see that all laws and ordinances of the city are duly respected and observed within the city, and perform such other duties as may, by the charter and ordinances of the Board of Aldermen, be required of him. The compensation of the Mayor shall be such amount as the Board of Aldermen shall, by resolution or ordinance, adopt. The Mayor shall, before entering upon his term of office, take the oath as hereinbefore provided. He shall have the power and exercise the functions of a justice of the peace, but only for the preservation of the peace within the limits of the city, and public works and grounds without the city belonging to the city. He shall have the power, and it is made his duty, to bid in property for the city at all tax and judicial sales, when the city is a party, when it is necessary to save or secure any debt or tax due the city.

Sec. 10. In case of the absence of the Mayor, the Board of Aldermen shall elect one of their members to discharge his duties, and, in case the Mayor's office is vacated by death, resignation, removal, or non-residence, the Board of Aldermen shall elect one of their number to discharge the duties of the Mayor's office until a successor for the unexpired term has been elected by the people, which election shall be held within thirty days after such vacancy occurs, as other elections are held.

Sec. 11. That the general election for the aldermen shall be held annually, and the election of Mayor bi-annually, on Tuesday after the first Monday in May. The Aldermen and Mayor shall be sworn into office the Tuesday following such election. The voters shall vote by ballot. Every person entitled to vote for the members of the General Assembly, by the laws of the State, who shall have resided within the city six months, next preceding the day of election, and who shall be otherwise qualified under the laws of the State to cast a vote for State officers; and non-residents who shall have owned a taxable free hold in the city for six months, next preceding such elections shall be entitled to vote in said city elections.

Sec. 12. The judges and clerks of elections shall be appointed by the Board of Mayor and Aldermen, and shall take oath to faithfully and impartially discharge their duties. They shall open the polls at nine o'clock in the forenoon, and close them at four o'clock in the

Mayor, compensation,
oath, etc.

In absence of
mayor, etc.,
who shall act.

General elec-
tion.

Election regu-
lations.

afternoon when they shall forthwith proceed to ascertain and transmit to the Mayor the result of such election, certified and authenticated by the clerks and judges, with tally sheet and poll list as now required by law in State elections. The Mayor shall deliver them to the recorder as they are received by him, who shall hold them without alteration until the old board shall meet as herein provided and declare the result, after which said returns shall be entered by the recorder in a book to be kept for that purpose.

Result.

Sec. 13. That it shall be the duty of the recorder to forthwith, after the result of such election is declared, to issue a certificate to each person elected.

Sec. 14. That the provisions of Sections 4894 to 4912 inclusive of Thompson & Steger's Code or revised statutes of Tennessee, are made applicable to all elections held under this Act.

Oath.

Sec. 15. That the Mayor and Aldermen shall take an oath to faithfully and impartially discharge the duties of such office to which they are elected as hereinbefore provided.

Election of officers by board.

Sec. 16. The said Board of Mayor and Aldermen shall have power, and are hereby authorized to create such offices, and provide by ordinance for the appointment or election of all such officers as may be actually necessary for the government and management of the city's affairs (not in conflict with, nor to interfere with the duties of officers or appointees provided for in this Act), whose compensation and term of service shall be fixed before the election or appointment, and the compensation shall not be increased or diminished during their term of office. The said Mayor and Board of Aldermen shall have power and authority to abolish any office created by them, and discharge any officer appointed or elected by them, by a majority vote on the call of the roll, but they shall not abolish any office created or officer elected under this Act, except as hereinbefore provided. All elections by the Board of Aldermen shall be *viva voce* on the call of the roll. All officers elected or appointed under this Act, or created by city ordinance, shall be required to give such bond as the Board of Aldermen may, by ordinance, provide, unless otherwise provided in this Act. No alderman shall be eligible to any other city office during the time which he serves as alderman.

Powers of mayor and aldermen

Sec. 17. The Mayor and Board of Aldermen shall have the following powers, by ordinance:

1. To levy and collect taxes upon all property, polls, and privileges, taxable by law for State purposes.

2. To appropriate money and provide for the payment of the debts and expenses of the city.
3. To establish a system of free schools and regulate the same so as to avoid sectarian influence.
4. To make regulations to secure the general health of the inhabitants, declare and remove nuisances.
5. To provide the city with water by contracts, water works within or beyond the city limits, or provide for supplying the city with water otherwise, and to provide for the prevention and extinction of fires, and to organize and establish fire companies.
6. To make appropriations to open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve, clean, and keep in repair streets, alleys, and side walks, or to have same done, and to erect, establish, and keep in repair, bridges, culverts, sewers, and gutters, and make appropriations for lighting the streets, and for the erection of all buildings necessary for the use of the city. Streets.
7. To license, tax, and regulate hacks, hackney carriages, carts, omnibuses, wagons, and drays, and fix the rate to be charged for the carriage of persons and property within the city, and to the public works, parks, and property of the city. Hacks, etc.
8. To license, tax, regulate, and suppress theatrical and other exhibitions, shows, and amusements.
9. To regulate or prohibit and suppress all gambling houses, disorderly houses, bawdy houses, houses of ill-fame, obscene pictures, and literature.
10. To regulate, restrain, or prevent the carrying on of manufactures dangerous in causing or producing fires, and to prevent and suppress the sale of fire arms and carrying of concealed weapons.
11. To regulate the storage of gun powder, tar, pitch, resin, saltpetre, gun cotton, coal oil and all other combustible, explosive, and inflammable material, and the use of lights, candles, lamps, and steam pipe in all stables, shops, and other places, and to regulate and suppress the use and sale of fire works and toy pistols. Explosives, etc.
12. To provide for the weighing or measuring of coal, coke, gas, hay, corn, sheaf oats, and live stock used, consumed or sold for food in the city.
13. To provide for and regulate the inspection of beef, pork, fish, fowls, and meat to be sold in the city for food.
14. To regulate the inspection of milk, butter, lard, and other provisions, and vegetables; to restrain and punish the forestalling and regrading of provisions; to establish and regulate markets.

Arrests.

15. To impose fines, forfeitures, and penalties, for the breach of any of the ordinances and provide for their recovery and appropriations by the recorder.

16. To provide for the arrest, imprisonment of all riotous and disorderly persons within the city by day or night, and for the punishment of all breaches of the peace, noise, disturbance, or disorderly assemblies.

17. To pass all ordinances necessary for the health, convenience, and safety, of the citizens, and carry out the full extent and meaning of this Act, and to accomplish the object of the same.

18. To impose penalties upon the owner or owners, occupants or agents of any house, wall, side walk, or other structures which may be considered dangerous or detrimental to the citizens, unless after due notice, to be fixed by ordinance, the same be removed or repaired.

19. To regulate, tax, license, or suppress the keeping and going at large of animals within the city, to impound the same, and in default of redemption, in pursuance of the ordinance, to sell or kill the same.

20. To provide for enclosing, improving, and regulating all public grounds belonging to the city, in or out of the corporate limits.

Police.

21. To provide for the appointment or election of a police force; to impose fines, forfeitures, and penalties, and the terms of imprisonment for the breach of any ordinance, but no fine or penalty shall exceed fifty dollars.

22. To regulate and provide for the construction and repair of side walks and foot pavements at the cost and expense of the owners of the abutting property; and if the owner or owners of such abutting property shall fail to comply with the provisions of said ordinance, within such time as may be prescribed, the Board of Mayor and Aldermen may contract for the construction or repair of such side walks or pavements, and the city shall pay for the same, and the amount so paid shall be a lien upon such abutting lot or property, and may be enforced by attachment in law or equity or the amount may be recovered against said owner by suit before any court of competent jurisdiction; and to compel owners of buildings to erect fire escapes when necessary, for the safety of the occupants.

Right of way.

23. To grant the right of way through the streets, avenues, and public property of said city for the purpose of street and other railroads, and for such other purposes as the Board of Aldermen may provide by ordinance: *Provided*, that the Board of Aldermen shall

not grant the exclusive right to any one person, firm, or corporation.

24. To take and appropriate grounds for the widening of streets or parts of streets, avenues, alleys, squares, parks, and promenades, when the public convenience requires it, under the provisions of Sections 1338 and Sections 1388 to 1391 inclusive of the code.

25. To regulate or prohibit the introduction of convict labor in the city.

26. To provide for the temporary or permanent closing of wells and springs used by the public during epidemics, or when epidemics are threatened, or whenever the use of the water from such springs of wells is injurious to health.

27. To take and appropriate, in the way and manner hereinafter provided, grounds adjacent to the city for water works purposes, site for the pumping station, reservoir, right of way for water pipes to the city from pumping station or reservoir upon payment of damages; to exercise the power conferred in this sub-section, the Mayor and city council shall, by ordinance, designate the grounds and instruct the city attorney to institute proceedings provided for in Sections 1325 to 1348 inclusive of the Code of Tennessee; Milliken & Vertrees' 1548 to 1572, inclusive.

Sec. 18. That the Board of Mayor and Aldermen are forbidden to make any appropriation of money or credit in the way of donation to festivities, pageants, excursions, or parades.

Sec. 19. That the Board of Mayor and Aldermen are forbidden to make any appropriations or subscribe for the stock in any railroad company, or any other corporation, except under the general law of the State, or give or lend money, aid, or credit to any person or corporation whatever, and they are hereby prohibited to employ or appropriate the revenue and taxes in any other manner than for purposes strictly municipal and local and according to the provisions of this Act.

Sec. 20. That the Board of Mayor and Aldermen shall, by ordinance, determine the number of standing committees, the number composing each committee, and shall designate the character and duties of each committee. The Mayor shall appoint said committees annually, and designate the chairman of each. Said committees shall be appointed as soon as practicable after the election and organization of the Board of Mayor and Aldermen. The Mayor shall be ex-officio a member of all standing committees, but shall not be entitled to a vote, except in case of a tie.

*Appropriation
of grounds.*

Appropriations.

*Standing com-
mittees.*

Sec. 21. The said Board of Mayor and Aldermen shall not exempt any property from taxation not exempt from State taxation.

Style of ordinances.

Sec. 22. That all ordinances shall begin by an enacting clause, as follows: "Be it ordanied by the Board of Mayor and Aldermen of the City of Bristol," and shall, at the end of the Act, contain the provision that: "This ordinance shall take effect from and after its passage, the welfare of the city requiring it," otherwise it shall not take effect until twenty days after its passage.

Limit of taxation.

Sec. 23. That the Board of Mayor and Aldermen shall not have power to levy in any one year, for any and all purposes, ordinary or extraordinary, a higher rate of tax than two per cent. of the assessed value of the taxable property within the limits, and all taxes, ordinary and extraordinary, shall embrace all expenses of fire, police, street, lights, water, school, and other purposes.

Expenditures.

Sec. 24. That the Board of Mayor and Aldermen shall not appropriate or contract for any greater sum of money in any one year than the income of that particular year, from all sources, amounts to.

Sec. 25. That no appropriations for work or improvements shall be made without the object is fully stated in the order making such appropriations.

A public act.

Sec. 26. This Act is declared to be a public Act and may be read in evidence in all courts of law and equity, and all ordinances, resolutions, and proceedings of the Board of Mayor and Aldermen, may be proved by the seal of the corporation, the same shall be received in evidence in all courts and places when attested by the recorder, printed and published by authority of the corporation, and certified by the recorder.

Bonds of officers.

Sec. 27. The bonds of all officers of the city shall be examined once each year, and the solvency of the sureties examined into by the Mayor and city attorney, and if they require the same, a new bond shall be executed, and said Mayor and city attorney may require the officials to give new bonds or justify the old bonds at any time.

Territory may be added.

Sec. 28. Territory adjoining the corporate limits of said city may be added thereto and included in the corporate limits therof, if fifty citizens, resident free holders in the territory proposed to be added thereto and included in the corporate limits of said city, shall undersign a written petition, in which shall be described by metes and bounds the particular territory proposed to be added, and shall submit the same to

the Mayor and Board of Aldermen of said city for consent and approval. If the city authorities give said consent, and a majority of the citizens who are legal qualified voters of said territory, consent, the said territory shall become a part of said corporation. To test the sense of the voters in said territory and obtain their consent, or the consent of a majority of them, an election shall be held at some convenient or public place, within said territory, and each voter entitled to vote for members of the General Assembly, who shall have resided in said territory more than six months next preceding the election, and each non-resident free holder, who shall be a citizen of the State and shall have owned a free hold in said territory six months previous to the election, shall be a qualified voter, but no others. The sheriff of Sullivan County shall hold the elections; shall give twenty days' notice of the time, place, and purpose of the election, and shall appoint judges and clerks to aid in said election, and shall make return of result to said city authorities; and if a majority of the qualified voters be in favor of the admission into the corporation of the city, then said territory shall become a part of said city.

Sec. 29. The Board of Aldermen shall have power ^{Aldermen to elect constable.} to elect a city constable, who shall be ex-officio chief of police, and such assistant policeman as may be necessary to preserve the peace and good order of the city, and fix the compensation of each.

Sec. 30. The duties of the city constable shall be, in addition to his duties as chief of police, to collect the taxes of said city.

Sec. 31. The city constable or chief of police and his assistants shall have power to execute, within said city and for one mile outside said city limits, all criminal and other process issued by the recorder of said city, and shall possess all the common law and statutory power of constables, except for the service of civil process.

Sec. 32. It is hereby made the duty of the police force at all times of day and night, and the members thereof are accordingly appointed to especially preserve the public peace, prevent crime, detect and arrest offenders, suppress riots, protect the rights of persons and property, guard the public health, preserve order at elections, see that nuisances are removed, suppress and restrain disorderly houses, houses of ill-fame, and gambling houses; to assist, advise, and protect strangers and travelers in public streets and railroad station, enforce every law relating to the suppression and punishment of

ment of crime, the protection of the public health, or disorderly persons, or any ordinance or resolution of the Board of Aldermen, in relation to public health and criminal procedure.

Arrests.

Sec. 33. The several members of the police force shall have power and authority to immediately arrest, without warrant, and take into custody, any person who shall commit, threaten, or attempt to commit in the presence of such member or within his view, any breach of the peace, or offense directly prohibited by Act of the legislature, or any ordinance of the Board of Mayor and Aldermen, but such member of the police force shall immediately, and without delay, upon such arrest, convey in person such offenders before the proper officer, that he may be dealt with according to law, and have a speedy trial.

**Work-house,
etc.**

Sec. 34. Every person committed to the work house shall be required to work for the city at such labor as his health and strength will permit, within or without said city, not exceeding ten hours each day, and shall humanely treat such persons, and the person thus laboring for the city shall be allowed not less than twenty-five cents per day until the whole amount is discharged, when he shall be released. No person shall be compelled to work longer than three months for any offense.

Tax-books, etc

Sec. 35. That the Mayor and Aldermen, in making out the tax books of said city, shall use and be governed by the assessment made by the county or district assessor for State and county purposes; and should any property, subject to taxation within said city, not appear on the tax books of the city, the city constable shall assess said property and collect the same and report such taxes to the city recorder as picked up taxes, and in like manner he shall assess persons subject to pay poll tax to said city, whose names do not appear on the city tax books.

**Tax due and
payable,
when.**

Sec. 36. That the city tax books shall be made out and placed in the hands of the city constable on the first of October, or as soon thereafter as practicable, of each and every year for which assessment is made, and all city taxes shall be due and payable on and after the first day of October of each and every year. The city constable shall proceed at once, after the tax books are turned over to him, to collect said taxes, and, on the first Monday in each succeeding month, make settlement with and turn over to the city recorder the amount collected by him up to the first day of February following the year for which said taxes are assessed,

at which time a penalty of four per cent. shall attach to all such taxes which are then unpaid, and from which time all taxes shall draw interest until paid; but the Board of Mayor and Aldermen may, by resolution or ordinance, extend the time for the collection of said taxes without penalty and interest not exceeding three months.

Sec. 37. That the taxes assessed by said city shall ^{Tax a lien.} be a lien on the respective property against which the same are respectively assessed until paid, subject only to the lien which the State of Tennessee and Sullivan County may have for unpaid taxes.

Sec. 38. *Be it further enacted,* That the city constable shall continue to collect said city taxes with penalty and interest up to the first day of June of each and every year succeeding the year for which said taxes are assessed, at which time, or as soon thereafter as practicable, he shall advertise as delinquent such property taxes remaining on his books uncollected. Said advertisement shall be inserted in some newspaper (daily or weekly) published in said city, which said advertisement shall be in only one issue of said paper, and if there be no newspapers published in said city, then by written or printed posters posted at the court house door in said city. For such advertisements twenty-five cents shall be allowed for each lot, tract, or parcel of realty, and the same for each name of owner, when personalty, to be paid by the owner or purchaser and included in the costs incident to said sale; *Provided*, no delinquent poll tax shall be advertised.

Sec. 39. *Be it further enacted,* That hereafter the <sup>Proceedings
against de-
linquents.</sup> proceedings against any delinquent and the property of any delinquent corporation shall be an action in rem, purely; and it shall not be necessary in order to make a good and valid title, to proceed personally against the person or persons owning the property; *Therefore*, as soon as the city constable shall have advertised as delinquent such real and corporation tax list, as above provided, he shall prepare as full, accurate, and complete description as is necessary to locate same, and the name or names of the person or persons in whose name said property is assessed.

Sec. 40. *Be it further enacted,* That after thirty days ^{Advertising.} from the date of advertisement of delinquents said city constable shall, alphabetically, begin with the first and so on, advertise the sale of such delinquent property. Said advertisement shall be made in some newspaper published in said city once a week for four consecutive

weeks. If no paper at the time is published in said city, then such advertisement shall be by notice posted at the court house door. All delinquents shall be advertised as near the same time as practicable; otherwise, those advertised at different times or at any one time, shall be four weeks, as above provided, and not more than the legal rate for advertisement shall be allowed.

Description.

Sec. 41. *Be it further enacted,* That in such advertisements shall appear, as nearly as possible, the names of the owners and a sufficient description of the real property to locate same by giving street, adjacent property owners, and the number of the lot, if practicable, in case of lots, and houses and lots; but in case of large tracts of land, the adjacent land owners, or a sufficient number of same to locate the particular property will be sufficient. For making out for publication a description of the property, date, time, terms, place of sale, etc., and for making sale at auction a fee of one dollar shall be allowed for each tract, lot, or parcel.

Tax sales.

Sec. 42. *Be it further enacted,* That the advertisement shall also recite that after thirty days the city constable will sell such property, at public outcry, at the court house door, in the city of Bristol, Tennessee, for cash in hand to the highest and best bidder, and out of the proceeds of sale shall be paid all fees, costs, taxes, penalties, and interest, then shall be paid all prior taxes which are a lien at the time of such sale and in order of priority. No bid shall be allowed or accepted for a less sum than the total amount of taxes, fees, etc., and the city constable shall be allowed six per centum of the delinquent taxes thus collected.

Sec. 43. *Be it further enacted,* That after such sales have been made, the city constable shall execute and deliver duplicate certificates, one to the purchaser and one to the recorder, reciting that such purchaser was the highest and best bidder, date of sale, name of purchaser, amount of taxes, interest, penalties, fees, and costs, name or names of delinquents, and a description of the property so sold; and he will, in conjunction with the city recorder, after the expiration of two years from date of said sale, unless the property shall have been redeemed by the owner or some judgment creditor, as hereinafter provided, execute to him as such city constable and recorder, a deed; the title under which shall be valid against all claimants, and the fact that any property is in litigation shall not prevent the city constable from selling the same under the aforesaid advertisement, and the said deed shall have the same force

and effect as deeds from courts of record in the State, and for executing such certificates, the city constable shall be allowed a fee of twenty-five cents.

Sec. 44. *Be it further enacted*, That any time within two years from the date of said sale a judgment creditor or the owner of such property shall have the right to redeem the same upon the payment to the city constable of all fees, costs, penalties, interests, and taxes, including interest at six per cent. per annum on the amount of the purchase money paid, together with ten per cent. per annum on the amount of fees, costs, taxes, etc., which shall be a penalty, and which shall go to the original purchaser, and such purchaser shall pay all taxes accruing during the period of the right of redemption and before redemption is made, if at all, which shall be a charge against the property in the same manner as purchase money and shall be paid by the person redeeming, together with six per cent. interest on said amount; and said constable and recorder shall execute a deed to the party redeeming. Said constable shall refund to the original purchaser the sum paid by him, together with six per cent. interest per annum, and also ten per cent. penalty per annum upon the surrendering of the certificate of sale, and for executing any deed said city constable and recorder shall be allowed fifty cents each and the costs for acknowledging said deed; deeds executed by said constable and recorder under the provisions of the Act shall not be subject to champerty laws.

Redeemable
within two
years.

Sec. 45. *Be it further enacted*, That in case of delinquent corporations, said city constable shall, in the same manner, sell to the highest bidder, any realty owned by such corporation for the satisfaction of all taxes, etc., as in the case of individuals, and a lien shall exist upon such corporate realty until all taxes, interest, fees, penalties, and costs are paid.

Delinquent
corporations.

Sec. 46. *Be it further enacted*, That in case of delinquent personality and polls on and after the first day of June next after the year for which said taxes are due, the unpaid personality and poll tax tickets, in the hands of the constable, shall have the same force and effect as an execution at law in the hands of a sheriff, and said city constable shall have the authority to levy upon any property owned by said delinquent and make sale of the same for the satisfaction of such personal property and poll tax, in the same way and manner in which sheriffs make sale of personal property by levy of executions at law, and no property belonging to such delinquent shall be exempt.

Delinquent
personality
and polls.

**Certificate of
real estate.**

Sec. 47. *Be it further enacted*, That the city constable shall turn over to the city recorder a copy of each certificate of real estate sold by him for delinquent taxes, which shall be entered by said recorder in a book to be kept by him for that purpose, and any suit brought to contest the validity of such sale, a certified copy from said recorder of such certificate shall be *prima facie* evidence of the regularity of such sale and no suit shall be brought in any of the courts of this State to test the validity or set at naught any tax sale of realty made under the provisions of this Act, until the party or parties shall have paid to the city constable the taxes, interest, penalties, fees, and costs for which said sale was made, together with all taxes and legal interest thereon which might have accrued on said property subsequent to the date of such sale, and the fact that such payment has not been made shall be a good plea in any of the courts of this State in abatement of such suit.

City attorney.

Sec. 48. *Be it further enacted*, That the Mayor and Aldermen shall elect a city attorney whose duty it shall be, in addition to the duties herein already set forth, to attend the meetings of the board and give such legal counsel touching the interests of said municipality when called upon by any of the officers of said city, to prepare ordinances, to attend to all litigation wherein said city may be a party, and to transact such other business connected with the government of said city as may be imposed upon him by ordinance.

School board.

Sec. 49. *Be it further enacted*, That the members of the school board shall be elected for the term of three years as hereinbefore provided, two of whom shall be elected on the first Friday in April each year; that the city recorder, city attorney, city constable, and assistant policemen shall be elected by the Board of Aldermen bi-annually for a term of two years on the first Friday in May, beginning with May, 1897.

Recorder.

Sec. 50. The Board of Mayor and Aldermen shall elect a recorder, who shall hold his office for two years, whose duty it shall be to act as recorder and Secretary of the Board of Mayor and Aldermen, and keep a record of their proceedings; to act as treasurer of the city, and receive all money due the city from all sources, collect all privilege taxes and pay out all money he may receive according to law, and perform all other duties required of him by ordinance. He shall give bond in such sum as the Board of Mayor and Aldermen may require, with sureties to be approved by the Mayor and Board of Aldermen; he shall not pay out any money

unless it has been appropriated by ordinances, and on a warrant drawn on him by the Mayor. He shall hold the city court and try all offenses against the city resolution, and if he is absent, sick, or incompetent to try any case, any justice of the peace residing within the city may act in his room and stead, to try all cases for him. He shall have the power and exercise the functions of a justice of the peace, and shall have power to recommend the pardon of offenders to the Board of Mayor and Aldermen.

Sec. 51. No person shall be eligible to the office of <sup>City officers,
who are eligible.</sup> Mayor or Aldermen, or any other city office who holds any kind of an office, executive or judicial, under the United States, State of Tennessee, or Sullivan County. No one shall be eligible to any city office unless he holds a free hold within said city.

Sec. 52. It shall not be lawful for the Board of <sup>City scrip,
warrants, etc.</sup> Mayor and Aldermen to issue or authorize the issuance of any city scrip; and any such city scrip so issued shall be null and void. No warrant shall be drawn by the Mayor or the Recorder for any purpose until the money is in the hands of the recorder with which to pay such warrant; *Provided*, that nothing in this Act shall be construed to prohibit the Mayor and Aldermen from issuing acceptances to parties to whom the city may be indebted, payable out of taxes levied for the year in which the same are issued; *Provided*, said acceptances shall not exceed five hundred dollars for any one year.

Sec. 53. There shall be a Board of Education for the city, to consist of six members, citizens of the city, and free holders within said city.

Sec. 54. The Board of Education shall be elected by ^{Board of Education, etc.} the Board of Mayor and Aldermen, from the citizens and qualified voters of the city, by ballot, and the term of office of each member shall be three years. The persons now constituting the board shall continue in office for the respective term for which they were elected; *Provided*, however, that no citizen shall, at any time, act as a member of the Board of Mayor or Aldermen and Board of Education at the same time.

Sec. 55. *Be it further enacted*, That the city recorder, city attorney, city constable, and assistant policemen shall each receive such compensation for their services, to be paid out of the city treasury as the Board of Aldermen may, by resolution or ordinance, fix and establish; and the city recorder, city constable, and assistant policemen shall give such bond to the Mayor and Aldermen of said city as the Board of Mayor and Aldermen may, by ordinance or resolution, require, and they

<sup>Compensation
of officers.</sup>

shall each before entering upon the duties of their respective offices take an oath before the Mayor of said city, who is hereby authorized to administer the same, to faithfully, honestly, and impartially, without fear or favor, discharge the duties of their respective offices to the best of their ability.

Sec. 56. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Sec. 57. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 16, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 215.

Senate Bill No. 240.]

AN ACT to amend the charter of the city of Memphis, so as to authorize said city by ordinance to provide that all delinquent taxes for the years 1879 to 1888, both inclusive, maybe, when collected, carried to surplus account and be subject to appropriation by the legislative council of said city.

Amending
charter of
Memphis.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the city of Memphis as embodied in Chapter 11 of the Acts of 1879, and the amendments thereof, be and the same are hereby amended so as to provide that all taxes levied for said municipality for the years 1879 to 1888, both inclusive, may be carried, when collected, to surplus account, and be subject to appropriation to any legitimate corporate purpose by the legislative council of said city.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 15, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 216.

[SENATE BILL NO. 21.]

AN ACT to detach Scott County from the tenth senatorial district, and attach the same to the third senatorial district and detaching Hancock County from the third senatorial district, and attaching the same to the second senatorial district, and that Morgan County be detached from the ninth senatorial district and attached to the tenth.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Scott County be detached from the tenth senatorial district and attached to the third senatorial district. The county of Hancock be and the same is hereby detached from the third senatorial district and attached to the second senatorial district; and that Morgan County be detached from the ninth senatorial district and attached to the tenth senatorial district.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 13, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 217.

[SENATE BILL NO. 160.]

AN ACT entitled "An act defining the boundary line between Scott and Fentress counties of the State of Tennessee.

To determine
line between
Scott and
Fentress.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the boundary line between the counties of Scott and Fentress in the State aforesaid, be and the same are hereby defined and constituted as follows: Beginning at the mouth of Caney Branch on the north side of Clear Fork, and running thence north 35 degrees, 45 minutes; west 1,067 poles to the mouth of Potter's Branch, on Whiteoak creek; thence north 18 degrees, 30 minutes, west 1,450 poles to a set stone on latitude line 36 degrees, 30 minutes, known as the old Matthews line, near Katy Blevins' old place; thence north 27 degrees, west 1,600 poles to a stone north of the Louis Burke old place; thence north 32 degrees, west 1,000 poles to a planted rock in the present line between the States of Kentucky and Tennessee.

Sec. 2. *Be it further enacted,* That from and after the passage of this Act this shall be the dividing line between the counties of Scott and Fentress as aforesaid, except as follows: That the whole farm of Franklin Sewell shall be included in Fentress County, and the whole of the farm now owned and occupied by Daniel Blevins and Jacob Blevins and the Louis Burke place shall be included in the county of Scott.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 9, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 13, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 218.

[HOUSE BILL NO. 108.]

AN ACT to repeal Chapter 67 of Acts of 1893.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 67 of Acts of 1893, entitled, An Act to provide for the redistricting of DeKalb County and provide for laying off said county into five civil districts, be and the same is hereby repealed.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 6, 1897.

JOSEPH W. BYRNS,
Speaker pro tem. of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 219.

[SENATE BILL NO. 317.]

AN ACT to amend the charter of the town of McKenzie, in Carroll County, Tenn., and to increase the powers thereof.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of McKenzie shall have perpetual succession, may sue and be sued, implead and be impleaded in any of the courts of law or equity of this State; may contract and be contracted with, may purchase, receive, and hold property, real and personal, within said town, and may purchase, receive, and hold property, both real and personal, beyond the limits of the corporation to be

Powers granted.

used for the burial of the dead, for the erection of water works, work houses, or houses of correction, and may sell, lease, or dispose of such property for the benefit of said town. They shall have and use a common seal which shall be "McKenzie, Tennessee," encircling the word "Seal."

Officers, how elected, etc.

Sec. 2. *Be it further enacted*, That the officers of the town of McKenzie to be elected by the qualified voters of said town, shall be a Mayor, a Recorder, a Marshal, and six Aldermen; and the recorder, who, by virtue of his office shall exercise and perform, in addition to his duties as recorder, the functions and duties as alderman, shall constitute the Board of Mayor and Aldermen of the town of McKenzie, each and all of whom shall be citizens and qualified voters of said town, and shall hold their offices for one year and until their successors are elected and qualified, and said officers shall be elected on the last Saturday in February of each year. The recorder and town marshal shall be required to give a good and solvent bond, in double the amount of money coming into their hands before they can assume the duties of their offices of recorder and marshal.

Oath.

Sec. 3. *Be it further enacted*, That the Mayor, Recorder, and Aldermen, before entering upon their duties, shall each take an oath before some justice of the peace or some other person authorized by law to administer oaths, that they will honestly and faithfully discharge the duties of the offices without partiality, favor, or affection.

Legislative power.

Sec. 4. *Be it further enacted*, That the legislative power of the town of McKenzie shall be exercised by and vested in the Board of Mayor and Aldermen of said town, over whose meetings the Mayor shall serve as presiding officer, and cast the deciding vote when there is a tie; a majority of all the aldermen shall constitute a quorum for the transaction of business. In the event the Mayor shall be temporarily absent, the board shall elect one of its number to preside over the deliberations of the body, in which event one more than a quorum shall be present. In the event of the death of the Mayor, or should his office become vacant from any other cause, then the board shall proceed, at the first regular meeting thereafter, to elect one of their number as Mayor, to fill his unexpired term, and the board shall elect some other person to fill the vacancy thus occasioned for the unexpired term, and the Board of Mayor and Aldermen of McKenzie shall have the power to fill any and all

vacancies occurring in the board, and in the offices of recorder and marshal of said town, on account of death, removal, resignation, or other causes.

Sec. 5. *Be it further enacted*, That no person shall be eligible to the office of Mayor, Recorder, Marshal, or Alderman, unless he be a resident within the corporate limits of said town of McKenzie and a legally qualified voter in the elections of said town.^{Who eligible.}

Sec. 6. *Be it further enacted*, That the Board of Mayor and Aldermen of McKenzie shall judge of the qualifications, elections, and returns of members of the board and other officers, and shall prescribe rules for the determination of contested elections, from which any party aggrieved shall have the right to appeal to their circuit court, as in all other cases provided by law, and shall prescribe its own rules of proceedings, the punishment of its own members for malfeasance, misfeasance, drunkenness, or any other misconduct in office, and enforce the same; two-thirds of the remaining members of the board present and voting to concur may expel a member for any of the above named offenses. A less number than a majority can adjourn from day to day and may, by ordinance, compel the attendance of absent members by fines and penalties. The Board of Mayor and Aldermen shall hold its regular meetings at such times as it may determine, not more than one regular stated meeting in each month.^{Board.}

Sec. 7. *Be it further enacted*, That the Mayor and Aldermen of McKenzie shall have the power, by ordinance, within the corporate limits of said town of McKenzie:

1. To levy and collect taxes upon all property taxable by law for State purposes, being in the bounds of said corporation.
2. To levy and collect taxes upon all privileges and polls taxable by law of the State, which shall in no wise exceed the State tax.
3. To appropriate money and provide for the payment of the debts and expenses of the town.
4. To make regulations to prevent the introduction ^{Quarantine} and spread of contagious diseases into the town, and to make quarantine laws for this purpose and enforce the same.
5. To establish hospitals and regulations for the government of same.
6. To make regulations to secure the health of the inhabitants, and to prevent and remove nuisances.

7. To provide the town of McKenzie with water works within or beyond the corporate limits of said town.

Streets.

8. To open, alter, abolish, widen, extend, establish, grade, or otherwise improve, cleanse, and keep in repair streets, alleys, side walks, and public squares.

9. To establish and keep in repair bridges, culverts, sewers, and gutters.

10. To provide for the erection of all buildings necessary for the use of the town of McKenzie.

**License and
and tax.**

11. To license, regulate, and tax auctioneers, grocers, retailers, brokers, merchants, coffee houses, confectioneries, retailers of liquors, hawkers, peddlers, livery, feed, and sale stables, keepers of Jenny Lind and billiard tables, and nine and ten pin alleys, and all other privileges taxable by the State.

12. To license, tax, and regulate theatrical and other exhibitions, shows and amusements.

13. To regulate or prohibit and suppress disorderly or bawdy houses or houses of ill-fame.

14. To provide for the prevention and extinguishment of fires, to organize and regulate fire companies, to regulate, restrain, or prohibit the erection of wooden buildings in the business portion of the town.

15. To establish a system of free schools and maintain them by taxation, when such taxation shall have been ratified by a (two-thirds vote) of those voting in such election.

Police.

16. To regulate the police of the town, to impose fines, forfeitures, and penalties for breach of any ordinance, and provide for the collection of the same.

17. To provide for the arrest and confinement, until trial, of all riotous or disorderly persons, within the assemblies of any street, house, or other place in said town, by day or by night, to authorize the detention of all suspicious persons found violating any ordinance of the town.

Penalty.

18. To prevent and punish by pecuniary penalties all breaches of the peace, noise, disturbance, or disorderly persons within the assemblies, in any street, house, or other place in said town, by day or night.

**Repair of
pavements.**

19. To regulate and provide for the construction and repair of side walks and foot pavements, and if the owner or owners of any business lots shall fail to comply with the provisions of any ordinance requiring such owner or owners to build or repair, after due notice, the town authorities may build the same, if the Board of

Mayor and Aldermen so order, and pay therefor, and the amount so paid shall be a lien on said business lot or lots of land and the improvements thereon, which may be enforced by any court of competent jurisdiction, under the proper proceedings brought in the name of the Mayor and Aldermen of McKenzie.

20. To pass all ordinances not contrary to the constitution of and laws of the State, that may be necessary to carry out the full intent and meaning of this Act, and to accomplish the object of this incorporation. Ordinances.

Sec. 8. *Be it further enacted,* That all ordinances and by-laws heretofore enacted by the Board of Mayor and Aldermen of McKenzie, and not heretofore repealed, shall be and remain in full force until altered, modified, or repealed under the operation of this Act. Ordinances not repealed.

Sec. 9. *Be it further enacted,* That it shall be the duty of the Mayor to carefully examine all bills and ordinances passed before affixing his signature, and should any such not meet his approval, he shall, at the next regular meeting of the board, return the same with his objections in writing, and no law so vetoed shall go into effect unless the same be again passed by a majority of the entire board. No bill or ordinance shall become a law unless the same shall have passed three several readings by a majority vote, and until the same shall have been signed by the Mayor, or unless he fails to veto the same by the next regular meeting. The Mayor may make temporary appointments to fill temporary vacancies, subject to the approval of the board at its next regular meeting, and he shall likewise have the power to make special deputations, to increase temporarily the police force, and he shall call special meetings of the board when in his judgment the good of his town requires it, and he shall state to the board, in writing, the purposes of such meeting, which, together with the action of the board, shall be spread on the minutes of the regular minute book. He shall take care that all the ordinances are duly enforced and observed, and perform other duties such as may, by ordinance of the board, be required of him. Powers and duties of mayor.

Sec. 10. *Be it further enacted,* That the Mayor shall try all offenses created by this Act or any lawful ordinance of said town and impose fines and penalties and enforce the collection and payment of the same, and shall likewise have the power to commit to the town prison or calaboose, until trial, of all disorderly or riotous persons within the town, and commit the same to the town prison or work house until such fines and costs are paid, or worked out or se- Mayor to try offenders, etc.

cured; and, in case the Mayor is incompetent to try such offenders, or be sick or absent, the recorder shall try such cases and perform all the duties of the Mayor under this section, and they shall be entitled to the same fees and costs as justices of the peace are entitled to for like services, which shall be taxed up with the bill of costs and fines.

Recorder.

Sec. 11. *Be it further enacted*, That it shall be the duty of the recorder to attend all meetings of the Board of Mayor and Aldermen; he shall keep an accurate minute of all the proceedings of the board, and read the same at the next regular communication of the board for their approval, amendment, or rejection; he shall collect all taxes due the corporation of whatever kind; he shall issue all privilege licenses and keep a proper book account of the same, giving name of party to whom issued, business engaged in, time for which issued, and amount received for the same. He shall have supervision over the town (Mount Olivet) cemetery, and shall sell at the prices fixed by the Board of Mayor and Aldermen all grave lots, and keep a faithful record of all such lots sold, according to the plot of said cemetery, in a well bound book kept for this purpose, and he shall perform such other duties as, by ordinance, are required of him.

Marshal.

Sec. 12. *Be it further enacted*, That it shall be the duty of the town marshal to acquaint himself thoroughly with the laws and ordinances of the town, and he shall rigidly enforce the same, for which purpose police authority is hereby given him which he may exercise without warrant in hand. He shall perform such other duties as the board may, by ordinance, require of him.

Qualification of voters.

Sec. 13. *Be it further enacted*, That all persons entitled to vote for members of the General Assembly under the laws of Tennessee, and who shall have been an actual, bona fide resident of the town for six months, next preceding the election, and all non-residents having an absolute and entire title to and a bona fide owner of real estate within the corporate limits of the town of McKenzie of the assessed value of one hundred dollars, his deed having been recorded for six months next preceding the election, and who shall be otherwise qualified to vote for members of the General Assembly of the State of Tennessee, shall be entitled to vote in all municipal elections.

Tax levies.

Sec. 14. *Be it further enacted*, That when any tax shall be levied or imposed by said corporation upon any real estate lying within said town of McKenzie, and

the owner or owners thereof shall not pay same, and the recorder of said town make return of that fact, that the owner or owners have no personal property within the said town upon which to levy and distrain for the said tax, it shall be the duty of the Mayor, by and with the advice and consent of the Board of Aldermen, to take such steps for the collection of said taxes as are or may be provided by the laws of the State for the collection of State taxes.

Sec. 15. *Be it further enacted*, That this Act is declared to be a public law, and may be read in evidence in all courts of law or equity without special proof of same. A public act.

Sec. 16. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

JOSEPH W. BYRNS,
Speaker pro tem. of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 220.

[HOUSE BILL NO. 255]

AN ACT to protect game birds in the county of Hawkins.

Game law.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be a misdemeanor for any person to hunt, capture, kill, shoot, wound, or destroy any quail or partridge in the county of Hawkins from the first day of April to the first day of October, inclusive, of each and every year.

Sec. 2. *Be it further enacted,* That it shall be a misdemeanor for any person to take, catch, or capture any quail or partridge with a net at any time in said county except it be on their own premises.

Sec. 3. *Be it further enacted,* That it shall be a misdemeanor for any person to export from said county, for profit, any quail or partridge at any time.

Sec. 4. *Be it further enacted,* That whoever shall violate either of the first two sections of this Act shall be punished by a fine of not less than ten nor more than twenty-five dollars, and imprisonment, at the discretion of the court trying such case; and whoever shall violate the third section of this Act shall be punished by a fine of not less than twenty-five nor more than fifty dollars, and imprisonment, at the discretion of the court trying such cases.

Sec. 5. *Be it further enacted,* That the grand jurors shall have inquisitorial power to send for witnesses, and make presentments for violation of this Act without prosecution.

Sec. 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 221.

[SENATE BILL No. 331.]

AN ACT to amend the charter of the city of Clarksville, and providing that certain officers be elected biennially instead of annually.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That so much of the Act incorporating the city of Clarksville and Acts amendatory thereto as relate to the election, by the Board of Mayor and Aldermen, of a city recorder, marshal, treasurer, surveyor or engineer, attorney, assessor, police, fire, and other officers, be and the same are hereby repealed.

Sec. 2. *Be it further enacted,* That after the expiration of the term or terms of the present officers of the city of Clarksville, as enumerated in Section No. 1 of this Act, the said city officers shall be elected by the Board of Mayor and Aldermen at the first monthly meeting in February, 1898, and their term of office shall be two years, and thereafter they shall be elected and installed into office at the first monthly meeting in February of each and every two years, and shall serve for the said period of two years, or until their successors are elected and qualified; *Provided*, that the city marshal may be elected at the regular monthly meeting in July instead of February, if the Board of Mayor and Aldermen so desire.

Sec. 3. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 222.

[SENATE BILL NO. 48.]

AN ACT to amend the charter of the city of Jackson, Tenn., so as to empower said city to issue not exceeding twenty-five thousand (\$25,000) dollars of bonds for the purpose of erecting and furnishing a public school building or buildings in said city.

*Amendment of
charter,*

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the city of Jackson, Tennessee, and Acts amendatory thereto, be and the same are hereby amended so that the Mayor and Aldermen of said city, in their corporate capacity, shall have, and they are hereby vested with full power to issue under the restrictions herein provided, the interest bearing coupon bonds of said city to an amount not exceeding twenty-five thousand (\$25,000) dollars, to be issued and used for building and furnishing a public school building or buildings in said city.

not exceeding twenty-five (\$25,000) dollars, to be issued and used for building and furnishing a public school building or buildings in said city.

Bond issues.

Sec. 2. *Be it further enacted,* That the bonds issued at any time under this Act shall be of such denomination, bear such rate of interest per annum, not to exceed six (6) per cent., and be due in such time, not less than ten nor more than thirty years from the date, and be payable at such times and places as the corporate authorities may determine.

*Not to sell for
less than par.*

Sec. 3. *Be it further enacted,* That none of the bonds provided for in this Act shall be sold for less than par, and the coupons, when due, shall be receivable for all taxes and dues to the corporation except the school tax, the tax specially levied to pay the interest on the bonds of said city heretofore issued, and the sinking fund hereinafter provided for.

Election.

Sec. 4. *Be it further enacted,* That before the Mayor and Aldermen shall issue any of the bonds contemplated by this Act they shall first order an election of the voters of said city and prescribe rules and regulations therefor, and shall give notice of said election by publication in some newspaper published in said city, at least once a week for three consecutive weeks, or by hand bills publicly posted for at least twenty days, specifying in such notice the amount of the bonds pro-

posed to be issued, and for what purpose, and providing for a ballot on the proposition; and if two-thirds of the persons voting at such election are in favor of said proposition then the Mayor and Aldermen shall issue the bonds for that purpose, and said election may be held at any time, or as many times for said purpose, as the said Mayor and Aldermen may determine.

Sec. 5. *Be it further enacted*, That said Mayor and ~~Tax levy.~~ Aldermen shall each and every year levy a tax not to exceed fifteen (15) cents on one hundred (\$100) dollars upon all taxable property and privileges of said city to pay the interest on such bonds as may be issued hereunder, and to provide a sinking fund to pay or redeem said bonds at or before maturity, the sinking fund to be used exclusively for the purpose levied.

Sec. 6. *Be it further enacted*, That before any of said bonds shall be issued the said Mayor and Aldermen shall elect a Board of three Commissioners to be known as "Sinking Fund Commissioners," who shall hold office for three years, and until their successors shall have been elected and qualified, and to be so elected that one of said commissioners shall be elected for one year, one two years, and [one] for three years, and every year thereafter one shall be elected to serve for three years. Said commissioners shall before entering upon the discharge of their duties, take an oath before a qualified officer faithfully to discharge their duties, and shall give bond in such sum, and otherwise qualify themselves, and receive such compensation, as the ordinance of the corporation may prescribe and provide. Said commissioners shall receive from the collector of taxes all the sinking fund tax and shall invest the same from time to time in the bonds of the corporation here contemplated, and make settlements of their accounts in such manner and with such persons as the corporation may, by ordinance, direct; *Provided*, however, that whenever such bonds of the city are purchased or invested in by the commissioners, they shall cancel the same in the presence of the Board of Mayor and Aldermen in such manner as may be determined by ordinance; *Provided*, further, that if sinking fund commissioners, as provided for above, have been elected and are acting under the provisions of Chapter 235 of the Acts of 1891, passed March 10, 1891, authorized the Board of Mayor and Aldermen of said city to issue bonds for the purpose therein mentioned, they may act as such sinking fund commissioners above provided for and in lieu thereof, and the said Board of Mayor and Aldermen may issue the bonds provided for in this Act, upon the

Sinking fund
commission-
ers.

conditions required when said commissioners shall have given such additional bond and otherwise qualified themselves as said Board of Mayor and Aldermen may determine.

Sec. 7. *Be it further enacted*, That this Act take effect from and after its passage the public welfare requiring it.

Passed January 25, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved January 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 223.

[HOUSE BILL NO. 738.]

AN ACT to detach Sevier County from the Second Judicial Circuit and transfer and attach it to the criminal district composed of Knox County, and to provide for the holding of the terms of the Circuit Court of the county of Sevier.

Change of judicial circuits Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county of Sevier be and the same is detached from the second judicial circuit and transferred and attached to the criminal district composed of Knox County.

Duty of judge. Sec. 2. *Be it further enacted,* That it shall be the duty of the judge of the "criminal court for the district of Knox County," to hold the terms of the circuit court of said county of Sevier, and he is invested with full power and jurisdiction to do so.

Duty of district attorney Sec. 3. *Be it further enacted,* That it shall be the duty of the district attorney for the criminal district composed of Knox County to attend the terms of the circuit court of Sevier County, and perform in and for said court all duties imposed by law upon district attorneys of this State.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 7, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 8, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 224.

[SENATE BILL NO. 241.]

AN ACT to amend the charter of the city of Memphis, by authorizing the Legislative Council of said city to fix the compensation of its wharf-master at a sum not to exceed twelve hundred dollars per annum, payable in monthly installments.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the city of Memphis, embodied in Chapter 11 of the Acts of 1879 and the amendment thereof, as embodied in Chapter 222 of the Acts of 1883, be and the same are hereby amended, so as to provide that the compensation of the wharf master of said city shall be fixed by the legislative council thereof, but not to exceed \$1,200.00 per annum, payable in monthly installments.

Section 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 15, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 225.

[SENATE BILL NO. 341.]

AN ACT to change the line between Williamson and Rutherford counties.

Change of line Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between Williamson and Rutherford Counties be so changed as to include in Rutherford County the following lands, with the line running as follows: After it reaches the southwest corner of Mrs. Lou Glenn's land it turns west to S. W. Scales' northwest corner; thence south to O. M. Watson's northeast corner; thence west to N. P. Tomlinson's northwest corner; thence south to Mrs. F. M. Dyer's southwest corner; thence east to Mrs. F. M. Dyer's southeast corner; thence north to public road; thence east, with public road, to the present line of Rutherford County, containing 343 acres.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 226.

[SENATE BILL NO. 239.]

AN ACT to empower the Commissioners of the Taxing District at Winchester, Tenn., to grant franchises.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the commissioners of the taxing district of Winchester, Tennessee, are hereby authorized and empowered to grant franchises within said district upon such conditions as they see proper, to any person, companies, or corporations, to erect and maintain electric light plant and fixtures, telephone lines, water works and street cars in and through the thoroughfare of said district.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 13, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 227.

[SENATE BILL NO. 363.]

AN ACT to change the line between the counties of Davidson and Williamson, so as to include all of the farm of I. J. Battle in the county of Davidson, State of Tennessee.

Change of line Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Davidson and Williamson be so changed as to include all of the lands of I. J. Battle and wife in the county of Davidson.

Sec. 2. *Be it further enacted,* That the line making the change, mentioned in Section 1 of this Act, shall begin at a corner of Davidson County, at or near Oak Grove school house, in the seventh civil district of Davidson County, running thence south $\frac{1}{2}^{\circ}$, east 45 poles to said Battle's southwest corner; thence south $89\frac{1}{2}^{\circ}$, east 87 poles to a stone in Elder's north boundary line, and also in the county line dividing the counties of Davidson and Williamson, and this Act take effect from and after its passage, the public welfare requiring it.

Passed April 30, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved May 1, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 228.

[HOUSE BILL NO. 15.]

AN ACT to create a new school district out of parts of Monroe, Loudon and Blount counties, to be known as the Trigonia High School.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That a new school district to be known as the Trigonia High School, be established out of the parts of Monroe, Loudon, and Blount Counties, consisting of the following territory: Beginning in Monroe County at the southwest corner of Mrs. M. E. Pate's farm at the Little Tennessee river, near the lower point of S. E. Thompson's island, running eastward and with the said Pate's line, and with the southwest line of J. P. Dixon's farm; thence with the northeast line of Frank Shadden's farm; thence into Blount County with the east line of George Allen's five-acre tract of land; thence with the south and east line of J. W. Montgomery's farm; thence with the east line of J. A. Cook's farm; thence with the east line of Silas Pearson's farm; thence with the east line of Wm. Downey's farm; thence with the east line of Jas. Norwood's farm; thence into Loudon County, with the southeast lines of S. O. Montgomery's farm; thence with the east and north line of J. M. Swanay's farm; thence with the east and north lines of J. C. Hutton's farm; thence with the north line of J. T. Saffell's farm; thence with the south line of the Yarber farm; thence with the south line of C. M. McGhee's farm; thence with the north line of James Harmon's farm; thence with the north line of L. H. Cabe's farm into Monroe County to the Little Tennessee river; thence up said river with its meanders to the beginning.

Sec. 2. *Be it further enacted,* That the school district created by this Act shall have all the emoluments, rights, and privileges, and be governed by same laws and rules that regulate and govern other school districts. Rights, etc., granted.

Sec. 3. *Be it further enacted,* That there shall be a Board of three Directors elected from the fractional parts of each county comprising said school district, to be elected as other directors, and shall act in an associated capacity in the government of said school district; *Provided*, that each county comprising said

district shall pay upon the warrants of its respective directors each year the amount per capita due its fractional part of said district.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 229.

• [SENATE BILL NO. 214.]

AN ACT to amend an act to incorporate Union City, in Obion County, and for other purposes, being Chapter 41, Acts of 1867, passed December 17, 1867, and an act amendatory thereof, passed April 7, 1881, and being Chapter 167, Acts of 1881.

Incorporation. Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act entitled, An Act to incorporate Union City, in Obion County, and for other purposes, passed 17th of December, 1867; and also an Act, passed 7th of April, 1881, amendatory thereof, be and the same is hereby amended so as to provide as follows: That the Mayor and Aldermen of the town of Union City shall have power to assess for taxation, all real and personal property, within the corporate limits of the town of Union City, Tennessee, to levy taxes on said property and fix the rate of taxation; to provide for the collection of the same; to provide, when the same shall come due and payable, and when the same shall bear interest; and to provide for the reasonable penalties for the payment of said taxes.

Tax lien. Sec. 2. *Be it further enacted*, That when the said property is assessed for taxation and said taxes are levied thereon by the said Board of Mayor and Aldermen of Union City, as they are herein empowered so to do, there shall be and remain for a period of six years from the date of said levy by the said Board of Mayor and

Aldermen, a lien on all property for the security of the payment of said taxes, and shall continue six years from the date of said levy, unless sooner paid.

Sec. 3. *Be it further enacted,* That said lien on said property within the corporate limits of the town of Union City, for any unpaid taxes levied thereon, shall be enforced, and said unpaid taxes collected in such manner and by such officers or persons as said Board of Mayor and Aldermen of Union City may, by ordinance, regularly adopt, provide, and direct. Enforcing lien

Sec. 4. *Be it further enacted,* That said Board of Privilege tax. Mayor and Aldermen of Union City may and they are hereby invested with full power to levy and collect privilege taxes on all privilege taxed by the State of Tennessee, which are exercised within the corporate limits of the said town of Union City; and to that end said Board of Mayor and Aldermen shall have the power, by ordinance, to provide for the collection of said privilege taxes, the amount of the same; when the same shall be due and payable, to provide for the penalty for the exercise of such privileges without the payment of the tax thereon, and for the collection of such penalties.

Sec. 5. *Be it further enacted,* That the Board of Mode of collection. Mayor and Aldermen may, by ordinance, regularly adopted at any of its meetings, provide for the collection of any taxes due to it, and the mode or manner of collecting the same, and such mode or manner of collecting such due and unpaid taxes when so provided by ordinance, shall exclude all other modes now provided by the law.

Sec. 6. *Be it further enacted,* That all the powers Ordinances. herein granted the Board of Mayor and Aldermen of Union City may be exercised, by ordinance regularly adopted at any meeting of said board, and that all laws and parts of laws in conflict with this Act, be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 8, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 13, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 230.

[HOUSE BILL NO. 264.]

AN ACT to authorize the Board of Commissioners of the Taxing District of the town of Jonesboro to issue and negotiate the interest bearing bonds of said taxing district to the amount of two thousand five hundred dollars, to pay an indebtedness of said district incurred in the establishment and maintenance of public schools therein, and to levy a tax to pay the interest on said bonds as the same becomes due; and to create a sinking fund to pay the principal at or before maturity; and to authorize the submission of said act to a popular vote of said district, and for other purposes.

Power to issue bonds. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Board of Commissioners of the taxing district of the town of Jonesboro, in Washington County, for the purpose of paying a present subsisting indebtedness of said taxing district, incurred in the establishment and maintenance of public schools therein, be and they are hereby authorized to issue the interest bearing negotiable coupon bonds of said district, in the sum of two thousand five hundred dollars, payable on or before twenty years from March 1, 1897, and bearing interest at the rate of 6 per cent. per annum. Said bonds shall be signed by the President of the Board of Commissioners and countersigned by the recorder of said taxing district, and shall provide on their face for the payment of interest at the rate aforesaid, to become due and payable semi-annually on the first days of March and September, each and every year thereafter, and for the payment of the principal thereof, on or before the first day of March, 1917, at the option of the commissioners of said taxing district. Said commissioners may negotiate said bonds, but the same shall not be disposed of for less than their par value, and the proceeds arising therefrom shall be applied to the payment of said indebtedness and the expenses incident to the preparation of said bonds, their negotiation, and the carrying out of the provisions of this Act, and for no other.

Sinking fund and interest. Sec. 2. *Be it further enacted,* That the Board of Commissioners of said town be and they are hereby authorized and empowered to levy, and annually after the issuance of said bonds, and while said bonds, or any of

them are outstanding, a special tax on all the taxable property, and a special privilege or license tax on all taxable privileges under the laws of the State within said taxing district, but in neither case to exceed the tax levied on said property and privileges by the State, for the purpose of paying the interest on said bonds as it becomes due, and to provide a sinking fund to pay the principal at maturity; *Provided*, that before this Act shall be operative the same shall be submitted to a vote of the citizens of said municipality, and if ratified or voted for by three-fourths of the qualified voters of same, then, and then only, shall said board issue said bonds; and the sheriff of the county or any justice of the peace living in said town shall open and hold the same by giving ten days' notice, and the question submitted shall be, "For the Bonds," and "Against the Bonds," and the returns shall be filed in the office of the county court clerk.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare, requiring it.

Passed February 8, 1897.

JOSEPH W. BYRNS,
Speaker pro tem. of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 231.

[SENATE BILL NO. 328.]

AN ACT to incorporate the Centennial City, in Davidson County.

Incorporators. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Norman Farrell, Edward Buford, Jno. W. Thomas, Jr., W. L. Dudley, H. W. Buttorff, E. C. Lewis, and W. H. Jackson, are hereby constituted a body politic and corporate by the name and style of the Mayor and Aldermen of the Centennial City, and by that name may sue and be sued, plead and be impleaded, in all the courts of law and equity, and in all actions whatsoever; and purchase and hold property, real and personal, within the said corporate limits; may sell, lease, or dispose of the same, for the benefit of said town and its inhabitants; purchase, receive, and hold property, real and personal, beyond the limits of said town, to be used for such purposes as the Board of Mayor and Aldermen may designate; and do all other acts touching the same as natural persons; and shall have a common seal, which they may change at pleasure.

Powers.

Boundaries. Sec. 2. *Be it further enacted,* That the boundaries of said town shall be as follows: Beginning at a point on the northwest corner of Fountain avenue and Plunket avenue; thence N. 39°, W. 100 feet; thence across Plunket avenue to the southwest corner of lot 7, Elliston tract; thence along the dividing line between lots 6 and 7 to an alley; thence along said alley N. 39°, W. 100 feet to a corner; thence N. 52°, E. 433 feet to the east line of Farrell street; thence N. 37°, W. 383 feet and 3 inches to a point; thence 52°, E. 400 feet to a point; thence N. 37°, W. 400 feet to a point; thence N. 52°, E. 200 feet to the west margin of Elliston avenue; thence N. 37°, W. along the west margin of Elliston avenue 1,488 feet and 6 inches to Cedar street; thence S. 69°, W. along Cedar street 18 feet to a point; thence S. 4°, E. 785 feet; thence N. 225 feet along the west margin of Plunket avenue to a point; thence W. 381 feet to a point; thence S. 40°, W. along the fence of the N., C. and St. L. R. R. Co. 3,030 feet to a point; thence S. 86°, E. 635 feet to a point; thence in a circular line, with a radius of 242 feet, to a point; thence N. 51°, 30', 504 feet to a point; thence E.

40 feet to a point; thence N. 4°, E. 32 feet to a point; thence N. 51°, 30', E. 46 feet to a point on the east margin of an avenue; thence S. 39°, 30', E. 250 feet to a point; thence N. 50°, 30', E. 300 feet to the east line of Fairgrounds avenue; thence S. 39°, E. along the east line of Fairgrounds avenue 857 feet to north line of Poston avenue; thence N. 51°, 30', E. along the line of Poston avenue 890 feet to the east margin of avenue; thence S. 39°, E. along the margin of avenue 214 feet, 5 inches to the north margin of Fountain avenue; thence N. 37°, 30', E. along north margin of Fountain avenue 491 feet, 6 inches to the beginning.

See. 3. *Be it further enacted*, That the following additional powers are granted to said corporation: Special powers.

1. To enact such ordinances as may be proper to preserve the health, quiet, and good order of the town.
2. To prevent and remove nuisances.
3. To establish night watches, and to employ all necessary police officers to preserve the peace and enforce the ordinances of said town.
4. To punish breaches of good order committed within its jurisdiction.
5. To grant privileges; *Provided*, said Board of Mayor and Aldermen shall not license the sale of any intoxicants except wine, as a restaurant privilege, and beer under proper regulations; but no bar for the sale of intoxicants shall be permitted within said corporate limits.
6. To restrain and prohibit gambling.
7. To prohibit indecent exhibitions within the limits, and punish the violation thereof.
8. To provide for the organization and regulation of fire companies and fire departments generally.
9. To establish a system of sewerage.
10. To make all necessary arrangements and contracts for supplying the town with water, and to regulate gas and electric light companies.
11. To impose and collect fines for the breaches of its ordinances.
12. To pass ordinances necessary and proper to enforce the powers granted herein, not inconsistent with the Constitution and laws of the United States or of the State of Tennessee.

See. 4. *Be it further enacted*, That said Norman Farrell, Edward Buford, John W. Thomas, Jr., W. L. Dudley, H. W. Buttorff, E. C. Lewis, and W. H. Jackson, are hereby constituted a Board of Aldermen, whose term of office shall expire January 1, 1898; and each of

said aldermen, before entering upon the duties of his office shall take an oath that he will faithfully demean himself in office. All vacancies in the Board of Aldermen shall be filled by the vote of the majority of the remaining members thereof.

Mayor. Sec. 5. *Be it further enacted,* That a Mayor shall be elected by the votes of a majority of the Board of Aldermen and his term of office shall expire January 1, 1898. If a vacancy shall occur in the office of Mayor, the same shall be filled by the vote of a majority of the Board of Aldermen. It shall be the duty of the Mayor to preside at all meetings of the Board of Aldermen, and take care that the ordinances of the town are enforced, respected, and observed. Before entering upon the duties of his office he shall take an oath of office to faithfully discharge his duties as such.

Recorder ex-officio. Sec. 6. *Be it further enacted,* That the Mayor of said Centennial City shall be ex-officio recorder, who shall have jurisdiction to hear and determine all violations of the ordinances of the Board of Mayor and Aldermen, and to impose penalties therefor. The Mayor shall also have power to appoint such agents and officers as the Board of Mayor and Aldermen shall determine, but the salary or compensation shall be fixed by the board before such appointment.

Sec. 7. *Be it further enacted,* That this charter shall expire by its own limitation on January 1, 1898.

Sec. 8. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 232.

[SENATE BILL NO. 477.]

AN ACT to enable the town of Somerville, Tenn., to issue bonds for the purpose of purchasing and improving the Somerville Female Institute.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of the town of Somerville, Tennessee, be and they are hereby authorized and empowered, in their corporate capacity, to issue interest bearing bonds of said town, signed by the Mayor and countersigned by the Recorder of said town, to an amount not exceeding five thousand dollars, and said bonds shall not be sold for less than the face value of the same, the proceeds of which shall be used exclusively in the purchase and improvement of said "Somerville Female Institute;" *Provided*, that said bonds shall not be issued until an election is held in said town to determine whether the majority of the legal voters of said town favor the issuance of said bonds. Power to issue bonds.

Sec. 2. *Be it further enacted*, That the Mayor and Aldermen of said town shall, by ordinance, appoint some suitable time at which to hold said election, and shall appoint some suitable person to open and hold the same, and that said election shall be held under such regulations and restrictions as said Mayor and Aldermen, by ordinance, establish. Election.

Sec. 3. *Be it further enacted*, That all persons living within the limits of the corporation of said town, and who are legal voters according to the laws of Tennessee, and who have been residing within the limits of the corporation of Somerville for thirty days preceding the day of said election, and being a bona fide citizen of said town, and all persons owning real estate within the limits of said town of Somerville who do not reside within the same, shall be entitled to vote at said election. Qualifications of voters.

Sec. 4. *Be it further enacted*, That if the number of votes cast at said election in favor of the issuance of said bonds be a majority of all the votes cast at said election, then the said bonds may be issued.

Sec. 5. *Be it further enacted*, That the bonds herein provided for may be executed of the denominations and maturities. Denomination and maturity.

one hundred dollars to one thousand dollars, at the discretion of said Mayor and Aldermen, and shall mature at times from five to thirty years, as may be fixed by ordinance of Mayor and Aldermen, and shall bear interest at any rate not to exceed six per cent. per annum; *Provided*, said bonds may be issued with coupons attached.

Levy.

Sec. 6. *Be it further enacted*, That said Mayor and Aldermen shall, by ordinance, provide for the assessments, levy, and collection of such taxes as may be necessary to pay said bonds so issued, and the accrued interest thereon, and may provide a sinking fund for that purpose.

Sec. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 233.

[SENATE BILL NO. 600.]

AN ACT to repeal an act entitled "An act to amend Sections 2 and 6 of an act establishing a chancery court at Johnson City, Tenn., and to fix the time of holding said court," passed March 31, 1897.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act, passed on the 31st day of March, A.D. 1897, entitled, An Act to repeal an Act, entitled, An Act to amend an Act establishing

a chancery court at Johnson City, Tennessee, be and the same is hereby repealed; that this Act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 234.

[SENATE BILL NO. 306.]

AN ACT to consolidate the school of Bluff Spring in Special District No. 60, in Henry County, with the Johnson Chapel School, in Civil District No. 5, in Henry County.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the school of Bluff Springs, in special district No. 60, in Henry County, commencing in the Dresden road, in front of S. Jones' place; thence north to Iron Banks road to Louis Fitzgerald; thence west Wm. McCall's place in 5th civil district; thence south to J. James' place; thence east to the beginning, shall be consolidated into one school to be known as the Shell School.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 285.

[HOUSE BILL NO. 485.]

AN ACT to repeal Section 19 of Chapter 204, page 389, of the Acts of the years of 1855 and 1856, of the Thirty-first General Assembly of the State of Tennessee, amending the Acts of February 2, 1890, chartering the town of Pulaski, in Giles County, said amending act passed February 26, 1856.

Repeal.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 19 of Chapter 204, page 389, of the Acts of the years of 1855 and 1856 of the thirty-first General Assembly of the State of Tennessee, amending the Act of February 2, 1850, chartering the town of Pulaski, in Giles County, which said amending Act was passed February 26, 1856, be and is hereby repealed.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 236.

[SENATE BILL NO. 375.]

AN ACT to repeal Sections 4, 5, 6 and 7 of an act passed March 3, 1868, entitled "An act to repeal Section 12, Chapter 192, of the Acts of 1853 and 1854, and for other purposes," being Chapter 72 of the Acts of 1867 and 1868, and found on pages 144 and 145 of the published Acts of the General Assembly of the said years 1867 and 1868, so far as the said sections relate to the town of Pulaski.

Section 1. *Be it enacted by the General Assembly of Repeal. the State of Tennessee,* That Sections 4, 5, 6, and 7 of an Act, passed March 3, 1868, entitled, "An Act to repeal Section 12, Chapter 192 of the Acts of 1853 and 1854, and for other purposes, being Chapter 72 of Acts of 1867 and 1868, and found on pages 144 and 145 of the published Acts of the General Assembly of the said years 1867 and 1868, so far as the said sections relate to the town of Pulaski, be and the same are hereby repealed.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 26, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 237.

[SENATE BILL NO. 219.]

AN ACT to repeal the charter of incorporation of the town of Luttrell in the county of Union.

Repeal of charter.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the incorporation of the town of Luttrell, in the county of Union, be and the same is hereby repealed.

Disposition of records.

Sec. 2. *Be it further enacted,* That the recorder and marshal of said town shall turn over to the justice of the peace all of the official books in their possession belonging to said corporation of Luttrell, or to their respective officers; and such justice shall, on demand of those entitled, issue executions on any unsatisfied judgments pertaining to said corporation.

Moneys, how applied.

Sec. 3. *Be it further enacted,* That the Board of Mayor and Aldermen of said town of Luttrell shall have full authority to apply any moneys or property on hand or due the said town in payment of any unsatisfied debts of said town, if any, or in any work of public improvement or public education in said town, and for this purpose they are allowed the term of six months after this Act shall go into effect, after which all their powers shall cease, and any moneys or property then remaining on hand or due said town shall be applied to the support of the public schools taught within the limits of said town.

Work-house prisoners.

Sec. 4. *Be it further enacted,* That any person or persons in the work house of said town, at the time this Act shall take effect, shall be delivered to the superintendent of the county work house, to be by him kept and worked as other county work house convicts, unless the Mayor and Aldermen of said town shall for said term of six months decide to work them on the streets of said town, or in some other public improvement within said town.

Sec. 5. *Be it further enacted.* That this Act take effect on April 1, 1897, the public welfare requiring it.

Passed March 9, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 13, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 238.

[SENATE BILL NO. 2.]

AN ACT to amend the charter of the town of South Pittsburg, in the Fourteenth and Sixteenth Civil Districts of Marion County, Tenn., which town was chartered under the general laws of this State, defining the duties of the Mayor, and providing for the laying out of said corporation in wards, and what shall constitute a quorum, etc.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be the duty of the Mayor to attend all meetings of the board and preside over the same, to appoint all committees, standing and special. He shall have general supervision and control over all the city officers, and may, whenever he shall see fit, examine into the condition of their respective offices, and examine all books and papers and all records thereof and the manner of conducting their official business, and may call upon any officer, clerk, or deputy for information, in relation to any matter pertaining to his office. The Mayor shall have general supervision of the entire police force of the town, and he may suspend the marshal or any member of the police force for neglect of duty, malfeasance in office, or failure to obey the orders of the Mayor. Any suspension shall be reported at an immediate special meeting of the Board of Mayor and Aldermen, and it shall be the duty of the board to proceed with as little delay as possible to try the suspended officer, and should the Board, by a majority of all the members, sustain the action of the Mayor, the officer so suspended shall be dismissed from his office, and the board may proceed to fill the vacancy for the balance of his term of office. When any officer has been suspended by the Mayor, he shall be furnished with a copy of the charges forthwith, and be accorded an impartial trial.

Sec. 2. *Be it further enacted,* That the town of South Pittsburg, as now bounded by charter, be divided into three wards, each ward bounded as follows: All the territory north of Third street, in said town, shall be embraced in and constitute the first ward of said corporation. All the territory south of Third street to Sixth street shall be in and constitute the second ward of South Pittsburg. All the territory south of Sixth

Amendment of
charter of
South Pitts-
burg.

Wards, how
divided.

street to the south boundary line of said corporation shall be in and constitute the third ward of said corporation.

Election.

Sec. 3. *Be it further enacted,* That at the next annual election for three aldermen, as now fixed by ordinance of the city of South Pittsburg, which will be on the fourth Tuesday in November, 1897, there shall be elected one alderman from each of the three wards; and every year thereafter on the fourth Tuesday in November there shall be elected one alderman for each ward, who shall be chosen by the qualified voters of the various wards and no one shall be allowed to vote except in the ward in which he resides, unless in case of a non-resident property owner, then he must cast his vote in the ward in which his property is located; and at the regular election, on the fourth Tuesday in November, 1898, there shall be chosen by the qualified voters of the corporation at large, a Mayor, who shall serve for two years, and every two years thereafter, a Mayor shall be chosen in like manner, who shall serve for two years and until his successor shall have been elected and qualified.

Quorum.

Sec. 4. *Be it further enacted,* That the Mayor and three Aldermen present at any meeting of the board shall constitute a quorum for the transaction of business; in the absence of the Mayor the chairman of the street committee shall act as Mayor, and preside, and in the absence of both Mayor and chairman of the street committee, any member may be called to the chair by the board—four members of the board constituting a quorum in the absence of the Mayor for the transaction of any business.

Sec. 5. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 22, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved January 27, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 239.

[HOUSE BILL NO. 648.]

AN ACT to detach Hancock County from the Second Senatorial District, and attach it to the Third Senatorial District.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Hancock County be detached from the second senatorial district and attached to the third senatorial district, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed April 9, 1897.

MORGAN C. EITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 240.

[HOUSE BILL NO. 310.]

AN ACT to allow people residing in the counties of Hardin, Gibson, Crockett, Tipton, Fayette, Franklin, Grundy and Marion to catch fish in any waters in these counties in any way except by poison, dynamite or wing net.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the residents of the counties of Hardin, Gibson, Crockett, Tipton, Fayette, Franklin, Grundy, and Marion, in this State, may catch fish, except from the first day of April to the first day of June of each year, in any of the waters in said counties by any means, except by poison, dynamite, or wing net across any stream.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 15, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 241.

[HOUSE BILL NO. 180.]

AN ACT for the protection of fish in Clay, Fentress, Overton and Pickett Counties, Tennessee.

Fish law:

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be unlawful for any person or persons to catch, kill, or wound fish in any stream or river in the counties of Clay, Fentress, Overton, and Pickett, by seine, trap, net, gun, gig, poison, dynamite, or in any way except by rod and line or trot line, from the first of January until the first of June each year after the passage of this Act.

Sec. 2. *Be it further enacted*, That it shall be unlawful for any person, company, or corporation to build any dam, fish gate, or obstruction, across any stream for the purpose of carrolling or catching fish.

Sec. 3. *Be it further enacted*, That any person or persons, from the first of June until the first of January each year hereafter, for home consumption, shall have the right to fish in any stream or river in the counties mentioned in Section 1 of this Act, with seine, net, trap, gun, gig, or grab with hands; *Provided*, that the meshes in seine or nets shall not be less than one inch apart.

Sec. 4. *Be it further enacted*, That any person violating any of the provisions of this Act shall be deemed

guilty of a misdemeanor and shall be fined not less than five nor more than twenty-five dollars for each offense.

Sec. 5. *Be it further enacted*, That any person or persons, at any time, wounding or killing fish by means of poison or dynamite or any other explosive whatever, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than ten nor more than fifty dollars, and shall be imprisoned not less than one nor more than six months in the county jail for each offense; it is further provided that the grand jury shall have full inquisitorial power over the provisions of this section.

Sec. 6. *Be it further enacted*, That all fines recovered under this Act shall be paid into the county treasury for the benefit of the common school fund.

Sec. 7. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Sec. 8. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 26, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 242.

[HOUSE BILL NO. 468.]

AN ACT to allow people residing in the counties of Loudon, Henderson and Claiborne to catch fish in any waters in these counties in any way except by poison, dynamite or wing net.

Fish law.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the residents of Loudon, Henderson, and Claiborne Counties, Tennessee, may catch fish, except from the first day of April to the first day of June of each year, in any of the waters in said counties by any means, except by wing net (across any stream), poison, dynamite, or other explosives.

Sec. 2. *Be it further enacted,* That all laws in conflict with this Act shall be and the same are hereby repealed.

Sec. 3: *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 243.

[HOUSE BILL NO. 4.]

AN ACT to authorize the Board of Mayor and Aldermen of the city of Knoxville, Tennessee, to issue coupon bonds to the amount of fifty thousand dollars, thirty thousand dollars thereof to be applied to the erection of a new market-house on the site of the old market-house, in the sixth ward of said city, and twenty thousand dollars to be appropriated to the erection of school-houses in the city of Knoxville, Tenn., and, if necessary, to the purchase of sites for such school-houses.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Board of Mayor and Aldermen of the city of Knoxville, Tennessee, a municipal corporation, be and hereby is authorized and empowered to issue in its corporate capacity, coupon bonds to be signed by the Mayor and countersigned by the Recorder, in the manner and under the restrictions hereinafter provided, to the amount of fifty thousand dollars, thirty thousand dollars to be appropriated to the erection of a new market house on the site of the old market house in the sixth ward of said city of Knoxville, and twenty thousand dollars to be appropriated and applied to the erection of school houses in said city, and, if necessary, to the purchase of sites for such school houses within the limits of said city; *Provided*, that the bonds or their proceeds shall be used exclusively for the purposes above set out, and in such manner, within the corporate limits, as may be determined upon by said Board of Mayor and Aldermen.

Sec. 2. *Be it further enacted,* That the bonds issued under this Act shall be of such denominations, and bear such rate of interest, not to exceed five per cent., as may be determined upon by said Board of Mayor and Aldermen, and said bonds shall be due and payable as follows, to-wit: Fifteen thousand dollars at the end of ten years from the date of issuance, fifteen thousand dollars at the end of twenty years from the date of issuance, and the remaining twenty thousand dollars at the end of thirty years from the date of issuance. Interest and principal shall be payable at such place within or without the State of Tennessee as said Board of Mayor and Aldermen may determine. The interest to be payable at such times as the Board of Mayor and Aldermen may determine.

Denomina-
tions and in-
terest.

Not to be sold
for less than
par.

Sec. 3. *Be it further enacted*, That the bonds provided for by this Act and issued under it shall in no case be sold for less than par, and the coupons thereto attached shall at maturity be received by said Board of Mayor and Aldermen for all taxes and dues to it, except sinking fund taxes levied for the retirement of this or any other bond issue of said Board of Mayor and Aldermen, and except for school taxes.

Sinking fund.

Sec. 4. *Be it further enacted*, That as soon as the bonds herein provided for, or any proportion thereof, shall have been issued hereunder, said Board of Mayor and Aldermen shall provide, by ordinance, a sinking fund wherewith to retire the said bonds; said fund to be used exclusively for sinking fund purposes, and be sufficient, with its accumulations as nearly as may be estimated, to meet and retire the principal indebtedness at maturity.

Commission-
ers.

Sec. 5. *Be it further enacted*, That said sinking fund shall be intrusted to the management of the sinking fund commissioners now existing in the city of Knoxville, under the laws of the State and ordinances of the corporation heretofore enacted.

Sec. 6. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed January 14, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved January 15, 1897.

P. TURNEY,
Governor.

CHAPTER 244.

[HOUSE BILL NO. 589.]

AN ACT to dispose of the interest of the State in Liberty Academy,
at Maynardville, Tenn., and to provide for reinvestment.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That A. W. Carr, Jno. H. Sal-
ling, and Tilley Johnson, school directors for the first school district of Union County are hereby made and constituted special commissioners on behalf of the State of Tennessee, to make sale of all and any interest that the State has in Liberty Academy, at Maynardville, Tennessee.

Sec. 2. *Be it further enacted,* That the proceeds arising from said sale by said school directors or their successors in office be reinvested in a new school building at Maynardville, to be used for school purposes as they may deem best for the public school interests of Union County.

Sec. 3. *Be it further enacted,* That the interest of the State is hereby relinquished and vested in said commissioners, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

Sale of State's
interest in
Liberty Acad-
emy.

Reinvestment
of proceeds.

CHAPTER 245.

[HOUSE BILL NO. 341.]

AN ACT to protect quail, partridges and other birds in Roane County.

Game law.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That from and after the passage of this Act, it shall be a misdemeanor for any person to shoot quails, partridges, or other birds, or to trap in nets or other devices used as nets or traps on the enclosed lands of another person or corporation, or lands jointly held by others, whether a corporation, school grounds, or others of like character and ownership in the county of Roane, without first having the consent of the owner or tenant in possession, officers, of corporations, or companies, or other person legally authorized to give such permission to thus shoot, trap, or catch in nets on enclosed lands of other persons.

Sec. 2. Whoever shall violate the provisions of the first Section of this Act shall be guilty of a misdemeanor and, upon conviction, shall be fined in the sum of not less than \$5.00 nor more than \$10.00, at the discretion of the court.

Sec. 3. *Be it further enacted,* That this Act take effect and be in force from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 246.

[SENATE BILL NO. 339.]

AN ACT to amend Chapter 74 of the Acts of 1857-58, entitled "An act to incorporate the town of Hartsville, in the county of Sumner, and for other purposes, and to provide for a change in the corporate limits of the town of Grand Junction, in Hardeman County, Tenn., and to fix the time and manner of the election of mayor and aldermen, recorder, and town marshal of said town."

Section 1. *Be it enacted by the General Assembly of Amendment. the State of Tennessee,* That Sections 30, 31, and 32 of Chapter 74 of the Acts of 1857-58, be so amended as to provide that the qualified voters in said town of Grand Junction, who shall have been residents ten days previous, shall, on the first Saturday after the first Monday in January of each year, open and hold an election in said town for seven aldermen, who shall hold their offices for twelve months and until successors are elected and qualified, and that said Board of Aldermen so elected shall, on the first Tuesday after said election, proceed to elect one of their body to preside as Mayor for the current year, and until his successor shall be appointed, and also a recorder and town marshal, the two latter of whom shall enter into bond, with sufficient security, to be approved by the Mayor, faithfully to collect and pay over as required by said board, all taxes, fines, and forfeitures, and moneys which may be due to said corporation, and said recorder and town marshal shall respectively hold their offices for one year and until their successors shall be appointed and qualified; *Provided*, that a majority of said Board of Aldermen shall constitute a quorum to transact business.

Sec. 2. *Be it further enacted,* That the corporate limits of said town of Grand Junction be and they are hereby so changed so as to run as follows: Beginning at a point at the center of the crossing of the Illinois Central and Memphis and Charleston Railroads; runs thence one-half of a mile north; and from said center, runs thence one-half of a mile east; and from said center, runs thence three-eights of a mile south; and from said center, runs thence west to the Fayette County line. Change of corporate limits.

Sec. 3. *Be it further enacted*, That all laws or parts of laws inconsistent or in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 15, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 247.

[HOUSE BILL NO. 272.]

AN ACT to amend an act entitled "An act to amend an act to incorporate the town of Dyersburg, in Dyer County, Tenn., and the various amendments thereto," passed the 27th of March, 1885, so as to enlarge and more clearly define the corporate limits of said town.

Establishing
boundaries of
Dyersburg.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1 of the Acts above referred to be and the same is hereby so amended that the boundaries and limits of said town of Dyersburg shall be as follows: Beginning at a stake on the west bank of Forked Deer river, the southeast corner of the Slack Barrel property (now owned by Hall and Dawson), runs thence west with the south line of said Slack Barrel property to its southwest corner, and continuing in a westwardly direction to the southeast corner of the T. E. Richardson heirs' lands; thence northerly with the said Richardson's heirs' east boundary line to the northeast corner of the same and the northwest corner of the W. P. Fowlkes heirs' land; thence east with the north boundary line of the said Fowlkes heirs' land to a point directly south of the old nursery land's southeast corner; thence north following the east boundary line of the old nursery lands to the northeast corner of

the same; thence east to the east side of the Dyersburg and Friendship church road; thence in a northerly direction up the east side of said road to J. C. McDavid's land; thence east with McDavid's south boundary line and Mrs. Turner Chamblin's south boundary line to her southeast corner; thence in an eastwardly direction on a direct line to the northwest corner of W. B. Park's home place and the southwest corner of the Jesse Clark place; thence east with the south boundary line of the said Jesse Clark land to the southeast corner of the same; thence due south to a point on the south boundary line of Dr. F. Summers' land; thence east with Dr. F. Summers' south boundary line to the southeast corner of his home tract, a stake in the west boundary line of the Henderson Clark land; thence south with the west boundary line of the H. Clark place, passing its southwest corner, to the northwest corner of the Mrs. Ida Kohnmann tract; thence east to Mrs. Kohnmann's northeast corner; thence south with her east boundary line to her southeast corner; thence crossing the railroad to I. W. Jones' northeast corner; thence continuing south with I. W. Jones' east boundary line to his southeast corner; thence west with his south boundary line and along the north edge of the Dyersburg and Trenton road to a point directly north of the northeast corner of Mrs. A. E. Moss' land which is the northwest corner of the A. G. Pierce land; thence south with the west boundary line of the A. G. Pierce tract, passing its southwest corner, continuing due south to the Forked Deer river; thence down said river with its meanderings to the beginning.

Sec. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 8, 1897.

JOSEPH W. BYRNS,
Speaker pro tem. of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 248.

[SENATE BILL NO. 181.]

AN ACT to repeal the charter of Camden, in Benton County.

Repeal.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 126 of the Acts of the General Assembly of the State of Tennessee, 1895, being an Act entitled, "An Act to incorporate the town of Camden, in the county of Benton, and State of Tennessee, and to provide for the election of officers, and prescribe their duties and for other purposes," be and the same is hereby repealed.

Passed February 12, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 13, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 249.

[HOUSE BILL NO. 484.]

AN ACT to amend an act passed by the General Assembly February 2, 1850, chartering the town of Pulaski, Giles County, so as to provide for the laying off of the said town into wards; to change the terms of office of the mayor, town constable and aldermen; to limit the terms of office of the mayor and town constable, and to repeal that part of Section 4, of the said Act, passed February 2, 1850, which is in conflict with this Act.

Amendment
of charter.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Act passed February 2, 1850, chartering the town of Pulaski, in the county of Giles, be and is hereby amended, so as to provide and authorize as follows:

1. That the Board of Mayor and Aldermen be and are hereby authorized and empowered, at the regular

To lay off
wards.

meeting of the said Board of Mayor and Aldermen of the said town of Pulaski, to be held in the month of November, 1897, by ordinance, to lay off the said town into six wards and to define and designate the boundaries of each of said six wards and enter of record in the minute book of said board the boundaries of the said wards, as fixed by said ordinance.

2. That from and after the next regular election, ^{Terms of mayor or and constable.} by the qualified voters of the said town, to be held on the second Saturday in January, in 1898, for Mayor, town Constable, and Aldermen for said town, that is, one Mayor, who shall continue to be a member of the said board, one town constable, and six aldermen; the Mayor and town constable shall be elected each for a term of four years, and neither the Mayor nor the town constable shall be eligible to succeed himself at the election occurring immediately before the expiration of the term of office of either.

3. That at the next regular election for Mayor, town ^{Terms of aldermen.} Constable, and Aldermen, on the second Saturday in January, 1898, there shall be elected by the qualified voters of the entire town, one alderman for each of the said wards, two of whom shall hold for one year, two for two years, and two for three years; that at the regular election held the second Saturday in the year 1899, and at every regular election held in the said town thereafter, there shall be elected two aldermen, each of whom shall hold office for a term of three years; that each and all of the above named officers and aldermen shall hold office until the successor or successors are elected and inducted into office.

4. That at the regular meeting of the said Board of ^{Terms expire, when.} Mayor and Aldermen, held in the month of December, 1897, the said board shall, by ordinance, designate in what wards the term of office of the aldermen shall expire in the years 1899, 1900, and 1901.

5. That publication shall be made by the said Board ^{Ward boundaries.} of Mayor and Aldermen of the boundaries of the said wards and when the terms of office of the several aldermen to be elected at the regular election on the second Saturday in January, 1898, shall expire, and said publication shall be made immediately after the regular meeting of the said Board in December, 1897.

Sec. 2. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and are hereby repealed.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 250.

[HOUSE BILL NO. 31.]

AN ACT for the protection of game in Crockett County, Carroll County, Obion County and Madison County.

Game law.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter it shall be unlawful for any person or persons to ship from Crockett County, Carroll County, Obion County, or Madison County, Tennessee, any quail or partridges at any season of the year, or kill, catch, or entrap any quail or partridges for the purpose of shipment or to be carried out of Crockett County, Carroll County, Obion County, or Madison County for shipment from any other place.

Sec. 2. *Be it further enacted*, That any person violating this Act, or any of its provisions, when convicted, shall be fined for each offense not less than ten dollars nor more than fifty and imprisoned, at the discretion of the court; and that it be unlawful for any person or persons to destroy the nest or eggs of quail in said counties.

Sec. 3. *Be it further enacted*, That grand juries shall have inquisitorial powers of all violations of this Act, and the same to be given in charge by circuit and criminal court judges to the grand juries.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 22, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved January 27, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 251.

[HOUSE BILL No. 87.]

AN ACT to extend the corporate limits of Pulaski, in Giles County, Tenn.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the corporate limits of the town of Pulaski be and the same are extended so as to include within said corporate limits of said town the lot and premises of I. W. King, beginning where the west boundary line of said King's lands on which he now lives, intersects Cemetery street; thence south to the southwest corner of said King's lots; thence east with his south boundary line to the west margin of the new road, running from Cemetery street towards Indian creek; thence north with the west margin of said road to the northeast corner of said King's lands, it being the intersection of said road with Cemetery street; thence west with cemetery street to the beginning.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 5, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 252.

[HOUSE BILL NO. 452.]

AN ACT to repeal the charter of incorporation of the town of Hamburg, in Hardin County.

Incorporation abolished.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the incorporation of the town of Hamburg, in the county of Hardin, be and the same is hereby abolished.

Sec. 2. *Be it further enacted,* That this Act take effect from and after the first day of May, 1897.

Passed March 17, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 253.

[SENATE BILL NO. 330.]

AN ACT to amend the charter and extend the limits of the corporation of the town of Covington, in Tipton County, and to amend Section 2 of Chapter 57 of the Acts of 1869-70, and Chapter 14 of the Acts of 1893, passed the 7th day of March, 1893, fixing the boundaries of said town of Covington.

Covington,
• change of
boundaries.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 2 of the Acts of the General Assembly of the State of Tennessee, passed February 17, 1870, and Chapter 14 of the Acts of the General Assembly of the State of Tennessee, approved March 17, 1893, be and the same are hereby amended, so that the boundary lines of the corporation of the town of Covington, Tipton County, Tennessee, shall be and the same are as follows: Beginning at a large sweet

gum tree on the west side of Cemetery street, being the original southwest corner of John C. McLemore's four hundred and thirty-six-acre entry; S. $3\frac{1}{2}$ °, E. 7.50 chains to a stake on the east side of the railroad; thence S. $15\frac{1}{4}$ °, W., parallel with the railroad, 13.06 chains to a stake on J. J. Whittley's land; thence across his land and Rome Payne's N. $86\frac{1}{2}$ °, E. 35.80 chains to a stake in A. J. Douglas' field; thence N. $3\frac{1}{4}$ °, W. 2.09 chains to a stake, two feet east of a forked sweet gum tree; thence N. $72\frac{3}{4}$ °, E. 12.95 chains to a stake; thence S. 28 °, E., parallel with the Mason and Covington road 4.30 chains to a stake; thence N. 62 °, E. 2.95 chains to a stake on the east side of said road; thence with the east side of said road S. 30 °, E. 4.20 chains to a stake; thence N. $86\frac{1}{2}$ °, E. 16.17 chains to a stake in W. C. Boyce's field; thence N. $8\frac{1}{4}$ °, W., across his land 23.15 chains to a stake one foot southeast of a white oak tree, on the west side of Byers' lane; thence N. $86\frac{1}{2}$ °, E., with the north side of said lane, 4.77 chains to a large red oak tree; thence N. 4 °, W., across the land of W. H. Strange and others, 52.85 chains to a stake in C. R. Harris' south boundary line; thence with his line S. $86\frac{1}{4}$ °, W. 22.70 chains to a stake three feet west of an elm and box elder, on the east side of Tipton street, if extended; thence with the east side of said street N. 4 °, W. 14.78 chains to a stake on the west side of the Ripley road; thence along the north side of said road N. $89\frac{1}{2}$ °, E. 10.65 chains to the corner of Menefee and Gillespie's land; thence N. 5 °, W. 9 chains with their line to a stake; thence W., between W. O. and W. A. Menefee, 20.85 chains to a stake on the west line of the railroad; thence N. 15 °, E., with the west side of said railroad, 10.98 chains to a stake two feet south of a telegraph pole; thence W., across W. O. Menefee's land, 7.65 chains to a gatepost, near the southwest corner of R. S. Barrett's barn; thence S. $73\frac{1}{2}$ °, W., passing the northwest corner of Baskin's barn, 35.05 chains to a stake on the east side of the Hatchie bottom road; thence with the east side of said road, and crossing Kinney's field, S. $1\frac{1}{4}$ °, W. 10.45 chains to a stake on the south side of the Covington and Piljerk road; thence across the Haynie field S. $19\frac{1}{4}$ °, W. 30.75 chains to Williamson McClelland's northwest corner on the south side of the Covington and Randolph road; thence with his west line S. 4 °, E. 7.54 chains to his southwest corner; thence with his line, and passing through his land, N. $86\frac{1}{4}$ °, E. 12.16 chains to a stake on the west side of Cemetery street; thence with the west side of said street S. $3\frac{1}{2}$ °, E. 35.90 chains to the beginning.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 15, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 254.

[SENATE BILL NO. 222.]

AN ACT to amend the charter of the city of Chattanooga, Tenn., and all acts heretofore passed amendatory thereof.

Amendment to charter of Chattanooga. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 7 of Chapter 1 of an Act, passed February 28, 1890, and approved March 5, 1890, by the extra session of said General Assembly, entitled, An Act to amend the charter of the city of Chattanooga and all Acts amendatory thereto, so as to enable said city to issue bonds for public improvements on streets and sewers, and providing for a Board of Public Works, be and the same is hereby amended so as to provide that the Chairman of the Board of Public Works of said city shall receive as compensation for his services a salary of nine hundred dollars per annum, and the other two members of said board shall receive as compensation for their services a salary of three hundred and fifty dollars each per annum, instead of twenty-five hundred dollars, and five hundred dollars respectively, as now provided by said charter; *Provided*, however, that said chairman shall be required to devote so much of his time to said office as may be necessary to enable him to properly discharge all the duties thereof.

Sec. 2. *Be it further enacted*, That the provisions of this Act shall be and constitute an amendment to the present charter of the city of Chattanooga, and that said charter and all Acts heretofore passed, amendatory thereof in conflict with this Act, be and the same are hereby repealed.

Sec. 3. *Be it further enacted*, That this Act take effect from and after April 1, 1897, the public welfare requiring it.

Passed February 4, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 255.

[SENATE BILL NO. 517.]

AN ACT to amend Section 2 and Section 6 of an act to establish a Chancery Court and a Law Court at Johnson City, in the county of Washington, and to fix the time for holding said court, passed and approved January 31, 1891, being Chapter 4 of the Acts of 1891.

'Section 1. *Be it enacted by the General Assembly of Amendment. the State of Tennessee,* That Section 2, Chapter 4 of the Acts of the General Assembly of the State of Tennessee, passed at the regular session on January 31, 1891, be and the same is hereby amended so as to read as follows, to-wit: It shall be the duty of the chancellor of the first chancery division to appoint a clerk and master for said court, who shall hold his office for six

years; said clerk and master shall give the same bonds, be governed by the same rules and laws as other clerks and masters in this State, and be entitled to receive for his services the same fees as the clerk and master of other chancery courts. That all notes and bonds, or other obligations, which have heretofore been taken in said court and made payable to the clerk and master of the chancery court of Washington County shall be and the same are hereby made payable to the clerk and master of the chancery court of the ninth civil district of Washington County.

Sec. 2. *Be it further enacted*, That Section 6 of said Act be and the same is hereby amended so as to read as follows: That the citizens of the eighth, ninth, tenth, and eleventh civil districts of said Washington County shall bring their suits in equity in said chancery courts at Johnson City, against any citizen residing within said civil districts, but no citizen residing without said eighth, ninth, tenth, and eleventh civil districts shall be sued in said courts, unless the subject matter of said suit is situated in said civil districts."

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 1, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 256.

[HOUSE BILL NO. 195.]

AN ACT to change the line between the counties of Bedford and Coffee.

Section 1. *Be it enacted by the General Assembly of Change of line the State of Tennessee,* That the county line between the counties of Bedford and Coffee be so changed as to include the lands of J. C. Brixey, of the county of Coffee, in the county of Bedford; said land is bounded as follows: On the north, by the lands of E. Huffman; on the south, by the lands of Elkins' heirs; on the east, by the lands of T. J. Gambell and Hiles' heirs; on the west, by Duck river.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 257.

[HOUSE BILL NO. 121.]

AN ACT defining the boundary line between Scott and Fentress counties of the State of Tennessee.

Section 1. *Be it enacted by the General Assembly of Defining line between Scott and Fentress. the State of Tennessee,* That the boundary line between the counties of Scott and Fentress in the counties aforesaid be and the same are hereby defined and constituted as follows: Beginning at the mouth of Caney Branch on the north side of the Clear Fork, and running thence north 35 degrees, 45 minutes, west 1,067 poles to the mouth of Potter's Branch, on White Oak creek; thence north

18 degrees, 30 minutes, west 1,450 poles to a set stone, on latitude line 36 degrees, 30 minutes, known as the old Matthews' line, near Katy Blevins' old place; thence north 27 degrees, west 1,600 poles to a stone north of the Louis Burke old place; thence north 32 degrees, west 1,000 poles to a planted rock in the present line, between the States of Kentucky and Tennessee.

Exception.

Sec. 2. *Be it further enacted*, That from and after the passage of this Act, this shall be the dividing line between the counties of Scott and Fentress as aforesaid, except as follows: That the whole farm of Franklin Sewell shall be included in Fentress County, and the whole of the farm now owned and occupied by Daniel Blevins and Jacob Blevins, and the Louis Burke place shall be included in the county of Scott.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 11, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 12, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 258.

[HOUSE BILL NO. 336]

AN ACT to allow the catching of fish out of the several streams and ponds in the county of Carter during certain seasons, and to better protect them at other seasons.

**Amendment of
fish law.**

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 127, Section 1 of an Act, passed May 1, 1895, be so amended as to allow the catching of fish out of the several streams or ponds in Carter County, by gigging, shooting, or with the hands, from the first day of June, until the first day of March in each and every year.

Sec. 2. *Be it further enacted*, That it shall be a misdemeanor to catch fish out of said waters from the first day of March until the first day of June in each and every year, by any means whatever.

Sec. 3. *Be it further enacted*, That any person having in their possession fish caught out of any of said waters from the first day of March until the first day of June shall be deemed guilty of violation of this Act.

Sec. 4. *Be it further enacted*, That it shall be a misdemeanor for any person to transport or in any way send or take fish out of Carter County for sale caught out of any of said waters.

Sec. 5. *Be it further enacted*, That any person violating any of the provisions of this Act, upon conviction, shall be fined not less than twenty-five nor more than fifty dollars, and imprisoned, at the discretion of the court having jurisdiction of the cause; and that the grand jury have inquisitorial power and that the judge holding the courts shall give it in charge.

Sec. 6. *Be it further enacted*, That all laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Returned to the House by the Governor without his signature, more than five days after presentation to him, and allowed to become a law by lapse of time.

REAU E. FOLK,
Clerk of the House.

May 1, 1897.

CHAPTER 259.

[SENATE BILL NO. 357.]

AN ACT to change the line between the counties of Maury and Williamson.

Change of line Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Maury and Williamson be and the same is so changed as to include the lands of Mrs. J. H. Wallace and G. W. Ware within the limits of the county of Williamson so that said county line when so changed shall run as follows, namely: Beginning at G. W. Ware's southeast corner, running thence west 116 $\frac{1}{2}$ poles to Mrs. J. H. Wallace's east boundary line; thence south with same 13 $\frac{1}{2}$ poles to said Wallace's southeast corner; thence west 28 poles; thence north 32°, west 140 poles to Rutherford creek, where it will intersect the county line.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 260.

[HOUSE BILL NO. 480.]

AN ACT to provide for furnishing Supreme Court Reports for the offices of the Circuit Court Clerk and Clerk and Master of Loudon County.

Whereas, Loudon County was organized in 1871, out ~~Preamble~~ of fractions taken from Blount, Monroe, and Roane Counties, and,

Whereas, said Loudon County has never been furnished the reports of the supreme court of Tennessee as required by law except from first Baxter to eleventh Pickle; now, therefore,

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Secretary of State be and is hereby required to furnish the offices of the circuit court clerk and the clerk and master of Loudon County all the supreme court reports up to the first Baxter; *Provided*, the said reports are now on hands; and, *Provided*, further, that the county of Loudon pay all cost of the transportation of said books.

Sec. 2. That this Act take effect from and after its passage.

Passed March 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 261.

[SENATE BILL NO. 509.]

AN ACT to extend the corporate limits of the town of McMinnville, Tennessee.

To extend limits of McMinnville.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporate limits of the town of McMinnville be extended as follows: Beginning on the east side of the pike, running from the town of McMinnville to the Tennessee Woolen Mills, at the southwest corner of N. Shong's apple orchard; and running north with said pike 780 feet to a stone; thence east, so as to include Mrs. Mary J. Faulkner's premises, 168 feet to a stone; thence south to the corporation line.

Sec. 2. *Be it further enacted,* That all Acts and parts of Acts of the General Assembly of the State of Tennessee in conflict with this Act, be and the same are hereby repealed.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 262.

[SENATE BILL No. 292.]

AN ACT for the relief of A. E. Dodson, late sheriff of Johnson County.

Section 1. *Be it enacted by the General Assembly of Award.
the State of Tennessee,* That the comptroller be and is hereby authorized and directed to issue his warrant on the treasurer to A. E. Dodson, for actual expenses incurred and expended by said sheriff in conveying Frank Jackson, who was convicted for a felonious assault, at the July term 1895, of the circuit court of said Johnson County. The said sheriff complied strictly with the order of the court. The lessees of the penitentiary failing to convey said prisoner from the jail of said county within ten days, the said sheriff, in obedience to the order of said court, conveyed the prisoner to the penitentiary at Nashville, and delivered him to the warden, and in doing so incurred the expenses aforesaid, and the same be paid out of any money in the treasury not otherwise appropriated.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 7, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 263.

[SENATE BILL NO. 387.]

AN ACT to change the line between Smith and DeKalb Counties.

Change of line Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between Smith and DeKalb Counties be so changed as to detach the balance of the lands of C. A. Malone, and attach the same to Smith County; said lands beginning in the Smith County line, on a rock running south 30 poles to a rock; thence southeast 21 poles to a rock; thence west 21 poles to a buckeye; thence south $13\frac{1}{2}$ poles to a sugar tree; thence west ten poles to a hickory; thence north $21\frac{1}{2}$ poles; thence northwest 76 poles to a sugar tree; thence east 80 poles to the beginning.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 264.

[SENATE BILL NO. 272]

AN ACT authorizing the trustees of Turner M. Lawrence College and their successors, in the town of Alexandria, Tennessee, to sell said college and re-invest the proceeds thereof in another site and building, or hold the same in trust for that purpose.

Preamble.

Whereas, Turner M. Lawrence built and gave to the public the Turner M. Lawrence College, and the same having been incorporated in Chapter 113, Acts of the General Assembly of the State of Tennessee, in the year 1857 or 1858, to be controlled by a board of trustees and their successors; owing to the site and the di-

lapitated and dangerous condition of said college, desire it to be sold and the funds reinvested in another site and building.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Lewis Pendleton, J. D. Bone, D. W. Dinges, T. W. Goodner, J. F. Roy, R. A. Lawrence, B. F. Bell, and James Jones, trustees of Turner M. Lawrence College, in the town of Alexandria, DeKalb County, Tennessee, and their successors be and are hereby authorized and empowered to sell said Turner M. Lawrence College, grounds, and other improvements thereto belonging, as they may think to be to the best advantage for and in behalf of said college and said trustees or their successors are hereby empowered to give deed absolute to the purchaser or purchasers of said ground and building.

Sec. 2. *Be it further enacted,* That said trustees or their successors be and are hereby empowered to invest the proceeds of said sale in another site and building in the town of Alexandria, Tennessee, or hold the same in trust for that purpose only.

Sec. 3. *Be it further enacted,* That said site and building, when erected, shall be known as the Turner M. Lawrence College in memory of its early benefactors.

Sec. 4. *Be it further enacted,* That the said Turner M. Lawrence College, when erected, shall be subject to and under control of the above named trustees or their successors, and shall have all the rights granted the trustees of said college by the Acts of 1857 and 1858, Chapter 113 of the General Assembly of the State of Tennessee.

Sec. 5. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it:

Passed March 12, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 265.

[SENATE BILL NO. 139.]

AN ACT to empower and authorize the town of Covington, a municipal corporation in Tipton County, Tenn., to subscribe for or purchase twenty thousand dollars of the capital stock in the Covington and Mississippi River Railroad Company, and to issue its bonds and exchange them for said railroad stock, or sell their said bonds and apply the proceeds arising from said sale to the payment of said railroad stock, and to provide for the payment of said bonds and the interest thereon.

Preamble.

Whereas, L. Hill, Jr., M. A. Walker, W. V. McFadden, T. Boyd, J. W. Simonton, J. C. Book, E. W. Smith, John Craig, R. M. Jackett, J. H. Flippen, W. H. Murphy, and John S. Randall have been constituted a body politic and corporate by the name and style of the Covington and Mississippi River Railroad Company by the laws of the State of Tennessee, for the purpose of constructing a railway from Covington, in Tipton County, Tennessee, in a northwesterly direction to Big Hatchie river, in the vicinity of Piljerk; thence in a westerly direction to the Mississippi river, in Lauderdale County, Tenessee; and,

Whereas, at least nine-tenths of the citizens of the town of Covington, Tipton County, Tennessee, desire the constructing of said railway, and desire the town of Covington to aid in building said railway and securing the same; and,

Whereas, the building of said railway will greatly improve and enhance the value of the taxable property in said town and greatly induce manufacturers and capitalists to invest their money in said town and in many ways benefit said town; therefore,

Power to subscribe for railroad stock.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of the town of Covington, a municipal corporation in the county of Tipton, and State of Tennessee, are hereby authorized and empowered to subscribe for or purchase, in their corporate capacity, for and in the name of said town of Covington, and receive from said Covington and Mississippi River Railroad Company the capital stock of said railroad company not to exceed the sum of twenty thousand dollars.

Bonds.

Sec. 2. *Be it further enacted,* That the Board of Mayor and Aldermen of the town of Covington, in

Tipton County, Tennessee, be and are hereby vested with full power, and authorized and empowered in their corporate capacity to subscribe for or purchase from the Covington and Mississippi River Railroad Company any amount not exceeding twenty thousand dollars of the capital stock of said railroad company in the name of said town of Covington, and in exchange or in payment thereof at par shall make, execute, and deliver to said railroad company its coupon bonds for the like and same amount of stock of said railroad company so subscribed and purchased, payable not more than twenty years after date, and bearing interest at such rate as may be agreed upon not exceeding six per cent. per annum, payable semi-annually, and deliver the same to said railroad company and receive therefor and in the name of said town of Covington like and same amount of the capital stock of said railroad company, dollar for dollar.

Sec. 3. *Be it further enacted,* That the Board of Mayor and Aldermen of said town of Covington, in Tipton County, Tennessee, be and they are hereby vested with full power and authorized and empowered, in their corporate capacity, to contract for, to purchase, and receive, in the name of and for said municipal corporation of the capital stock of said railroad company, any amount not exceeding twenty thousand dollars, and said Board of Mayor and Aldermen are hereby authorized and empowered, in their corporate capacity, in the name of said town of Covington, to make, execute, issue, and sell its coupon bonds to an amount equal to the amount of capital stock of said railroad company, so contracted for or purchased by them, not exceeding twenty thousand dollars, payable not more than twenty years after date, and bearing interest at the rate of six per cent. per annum, payable semi-annually, the proceeds of which bonds of said town so issued and sold shall be used for the purchase of the capital stock of the Covington and Mississippi River Railroad Company, so contracted for or purchased by said municipal corporation and so authorized herein to be purchased or contracted for by said town.

Sec. 4. *Be it further enacted,* That said stock herein mentioned and designated shall not be subscribed for or bought nor the bonds herein provided for shall be issued until an election is held in said town of Covington to determine whether the legal voters of said town favor the subscription for and the purchasing of said stock and the issuance of said bonds.

**Board may or
der election.** Sec. 5. *Be it further enacted,* That the Mayor of said town of Covington shall convene, in special session, the Board of Mayor and Aldermen of said town, for its consideration, whether or not an election should be held in said town to determine whether or not said town of Covington should, through and by its Board of Mayor and Aldermen, issue the bonds of said town and subscribe for or purchase the stock in the Covington and Mississippi River Railroad Company and pay for the same according to the terms and provisions of this Act; and if a majority of the Board of Mayor and Aldermen of said town should be of opinion that such election should be held, it shall so order, and if for any reason the Board of Mayor and Aldermen is not convened in special session as herein provided, then such election shall be ordered at any regular meeting of said Board of Mayor and Aldermen; if a majority of the board are of the opinion that it should be held, and said order of election so made, by said Board of Mayor and Aldermen, either at a special meeting convened as herein provided, or at its regular meeting shall be spread upon its records and said Board of Mayor and Aldermen shall have and is hereby granted full power to order such election, according to the laws regulating elections in this State.

Publication. Sec. 6. *Be it further enacted.* That the election shall be advertised at least thirty days beforehand, by notice, written or printed, posted up at the court house door and two other places in said town, specifying the time it is to be held, and the amount of stock proposed to be subscribed for or purchased, and in what railroad company, and the amount of bonds authorized to be issued therefor.

**Sheriff to hold
election.** Sec. 7. *Be it further enacted,* That the sheriff of Tipton County shall open and hold said election, and if for any reason the sheriff does not hold said election, then such election may be held by coroner of said county; and the officers so holding said election shall certify to the Board of Mayor and Aldermen of said town the result of said election, showing the number of votes polled, how many votes, For the issuance of the bonds," how many votes "Against the issuance of the bonds."

**Ballots, how
prepared.** Sec. 8. *Be it further enacted,* That at the election thus held, those voters who are in favor of the issuance of the bonds, and subscription for, or the purchase of the said stock of said Covington and Mississippi River Railroad Company, and the payment therefor, according to the terms and provisions of this Act, shall have

written or printed on their tickets, "For the issuance of the bonds," and those opposed, "Against the issuance of the bonds."

Sec. 9. *Be it further enacted*, That it shall be the duty of the Board of Mayor and Aldermen of said town, to convene in special meeting, on the call of the Mayor of said town, for the purpose of acting on the return of the officer holding said election, within ten days after such election, and if it shall appear that three-fourths of the ballots cast at said election had written or printed thereon, "For the issuance of the bonds," then it shall have full power and shall proceed to make and execute all necessary orders, and take such action, and do all things as may be required and necessary to make the issuance of the bonds, and the subscription for or the purchase of the stock in the Covington and Mississippi Railroad Company, and pay for the same, effective and valid, according to the terms thereof, and the provisions of this Act; and if for any cause the Board of Mayor and Aldermen are not convened in special session to take action on the return of the officer holding said election, the said Board of Mayor and Aldermen shall at any one of its regular meetings act on said return of said officer; and, if it appears that three-fourths of the votes polled at said election, "For the issuance of the bonds," then it shall have full power and shall proceed to make and execute all necessary orders, and take such action and do all things as may be required and necessary to make the issuance of the bonds, and the subscription for or the purchase of the said stock in said Covington and Mississippi River Railroad Company, and pay for same, according to the terms and provisions herein provided, effective and valid according to this Act.

Sec. 10. *Be it further enacted*, That if the said town of Covington fails to vote for the issuance of said bonds and the subscription to or the purchase of the said stock in said Covington and Mississippi River Railroad Company and the payment therefor, in accordance with the terms and provisions of this Act, at any election held for the purpose: said Board of Mayor and Aldermen may, at any time after sixty days, order another election for that purpose, upon the petition of twenty-five voters that are free holders.

Sec. 11. *Be it further enacted*, That the Board of Mayor and Aldermen of said town of Covington are hereby authorized and fully empowered, and it is made their duty to levy from time to time such taxes upon the taxable property, privileges, and persons liable by law to

Duty of board.

May order other elections.

taxation within its corporate limits as will be sufficient and necessary to meet the maturing interest on said bonds, and provide for the payment of the principal; *Provided*, that no tax to pay said bonds and interest due thereon exceeding twenty-five per cent. of the principal amount of said bonds, shall be levied in any one year.

Bonds, how issued.

Sec. 12. *Be it further enacted.* That the bonds herein provided for shall be signed by the Mayor and countersigned by the Recorder of the town of Covington with the corporate seal of said town affixed thereto, and to each of said bonds there shall be attached coupons showing each semi-annual installment of interest on said bond, and when the same shall fall due, and also showing on their face the number and denomination of the bond to which they are attached. The interest coupons attached to each bond shall bear upon its face a "fac simile" of the signatures of the Mayor and Recorder of said town without the corporate seal. Said bonds shall be issued in the same or different denominations, at the discretion of the Mayor and Board of Aldermen of the town of Covington; *Provided*, that no bonds shall be of less denomination than one hundred dollars or of a greater denomination than one thousand dollars, and each bond and each coupon attached thereto shall be numbered seriatim, beginning with number one. The recorder of said town of Covington shall keep a well bound book in which he shall register all bonds issued under this Act, giving the number and amount of each bond, and to whom and for what purpose issued.

Sec. 13. *Be it further enacted.* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 5, 1897.

JOHN THOMPSON,
Speaker of the Senate.

JOSEPH W. BYRNS,
Speaker pro tem. of the House of Representatives.

Approved February 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 266.

[SENATE BILL NO. 67.]

AN ACT to authorize the city of Selmer to issue bonds for the purpose of purchasing sites and erecting and furnishing school-buildings thereon.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the city of Selmer, in McNairy County, be and is hereby authorized and empowered to issue and sell coupon bonds in a sum not to exceed in the aggregate eight thousand dollars, the proceeds of which shall be used for the purpose of buying sites and erecting thereon school buildings in and for the city of Selmer and in furnishing such buildings. Power to issue bonds.

Sec. 2. *Be it further enacted,* That said bonds shall be issued on the order of the Board of Mayor and Aldermen of said city; shall be signed by the Mayor and countersigned by the Recorder, and shall be issued at such times, in such amounts, and denominations, bear such rate of interest, and mature at such times, and contain such other conditions as the Board of Mayor and Aldermen may direct; *Provided*, that the aggregate amount to be issued shall not exceed eight thousand dollars; that the rate of interest shall not be higher than six per cent. per annum; that the denominations shall not be less than one hundred dollars, nor more than one thousand dollars; and that in no case shall bonds run less than five years, nor more than forty years; and, *Provided*, further, that no bonds shall be issued under this Act until an election is first held as hereinafter provided for. How issued.

Sec. 3. *Be it further enacted,* That when the Board of Mayor and Aldermen of said city shall desire to issue bonds under this Act they shall order an election to be held in said city, which election shall be duly advertised by printed posters posted at the court house and other public places in said city for at least ten days before the election, and said advertisement shall state the amount of bonds proposed to be issued, the denomination, the time to run, the rate of interest to be borne, and whether payable quarterly, annually, or semi-annually, and if in such election a majority of the qualified voters voting in said election shall vote in favor of issuance of said bonds, the same shall be issued. Election.

Tax levy.

Sec. 4. *Be it further enacted*, That upon the issuance of bonds under this Act, the Board of Mayor and Aldermen shall levy a special tax, not to exceed twenty-five cents on the one hundred dollars worth of taxable property, to be known as the Sinking Fund Tax, and which shall be sufficient, as near as may be estimated, to provide for the payment of said bonds as they mature.

Bonds, how disposed of, etc.

Sec. 5. *Be it further enacted*, That upon the issuance of bonds under this Act, the treasurer of said city shall receipt for, and receive them, and shall proceed to dispose of them to the best interest of the city, under the direction of the Board of Mayor and Aldermen and subject to their approval, and shall keep the funds arising therefrom as a separate and sacred fund, to be used only for the purpose of buying sites, erecting school buildings and furnishing same; *Provided*, he shall first enter into a special bond, to be approved by the Mayor, in double the amount likely to come into his hands of the funds collected under the provisions of this Act, for the faithful handling and safe keeping and properly paying over and accounting for such funds, with two or more good and solvent sureties, and payable to the city of Selmer; and, *Provided*, further, that no bonds shall be disposed of for less than par.

Sinking fund tax.

Sec. 6. *Be it further enacted*, That it shall also be the duty of the treasurer of said city to receive, and hold the funds arising from the sinking fund tax, as a separate fund for the payment of matured bonds; and to invest it from time to time in such securities as may be to the best interest of the city, under the direction and subject to the approval of the Board of Education of said city.

To be collected in same manner as other taxes.

Sec. 7. *Be it further enacted*, That the said sinking fund tax shall be collected by the regular collecting officer of said city in the same way and on the same terms as other taxes are now collected, and he shall pay same over to the city treasurer as other taxes are paid over by law; *Provided*, he shall first enter into bond with two or more good and solvent surties in double the amount of such tax likely to be collected, and conditioned for the faithful collection and proper paying over of said tax and to be approved by the Mayor and payable to the city of Selmer.

Powers of board of education.

Sec. 8. *Be it further enacted*, That the Board of Education of the city of Selmer shall have the sole power, and it shall be their duty to select, and make all purchases of building sites, to contract for all buildings, and all repairs of buildings, and to provide for furnish-

ing all such buildings as may be bought or built with the funds arising from the issuance of bonds under this Act.

Sec. 9. *Be it further enacted*, That the money arising ^{Proceeds of bonds.} from the sale of bonds, issued under this Act, shall be paid out by the treasurer of the city upon orders of the Board of Education of said city.

Sec. 10. *Be it further enacted*, That coupons maturing ^{Coupons.} for interest shall be paid by the treasurer out of the general revenue of the city on presentation, and matured bonds shall be paid by him out of the sinking fund on presentations, and all such coupons and bonds so paid off shall be cancelled and destroyed in the presence of the Board of Mayor and Aldermen in open meeting, and the same recorded in full on the minutes of the Board.

Sec. 11. *Be it further enacted*, That the Board of Education and the treasurer of said city shall receive as compensation for services required of them under this Act, such pay as the Board of Mayor and Aldermen shall direct by ordinance.

Sec. 12. *Be it further enacted*, That the recorder of ^{Duty of recorder.} said city shall keep in a well bound book properly ruled for that purpose, a record of all bonds issued under this Act, showing date of issuance, number of bonds, amount, time to run, when matured, number of coupons, and when they are payable.

Sec. 13. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 27, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved January 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 267.

[SENATE BILL NO. 101.]

AN ACT to authorize the city of Clarksville to issue \$20,000 of bonds to be used to extend and improve the water-works system.

Power to issue bonds. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That from and after the passage of this Act, it shall be lawful for the Board of Mayor and Aldermen of the city of Clarksville to issue coupon bonds, said bonds to be styled, "Water Works, Extension, and Improvement Bonds," numbered from 1 to 40, inclusive, each to be for five hundred (\$500) dollars with interest coupons attached, to be signed by the Mayor and countersigned by the Recorder, but the signature of these officers on the coupons may be lithographed, and in no case shall the bonds issued be sold except by the approval of the Board of Mayor and Aldermen; said bonds issued under this Act shall bear six (6 %) per centum interest per annum, payable semi-annually, at such place as may be designated by the contract, or a less rate of interest if the city shall desire to so contract, but in no case shall the bonds be sold at less than par; said bonds shall be due in thirty years from date of issue, but shall be redeemable by the city at its option after ten years; said bonds or their proceeds shall be used exclusively for the purpose of extending and improving the water works system in said city, in such manner and place as may be determined upon by the corporate authorities of said city.

Water-works revenue, how applied.

Sec. 2. *Be it further enacted.* That the revenue derived from the operation of the water works now in operation in said city shall be applied to the running expenses, to the payment of the thirty-two thousand (\$32,000) dollars mortgage bonds on said plant, and after that to the interest on the twenty-eight thousand (\$28,000) dollars water works bonds, and after that to the interest on the bonds to be issued under the provisions of this Act and to the betterment of extensions, and if there should be a surplus it shall be applied to the retirement of the debts of the water works company or the issue of bonds herein provided for, and in no case shall such revenue be used for other purposes

until after the payment of all indebtedness upon said plant created for its purchase or extensions and improvements.

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 25, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved January 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 268.

[SENATE BILL NO. 340.]

AN ACT to amend Chapter 12 of the Acts of 1847-48, entitled "An act to incorporate the town of Bolivar, in the county of Hardeman, and to authorize the town of Bolivar to levy a special school tax in aid of the public schools of said town.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Board of Mayor and Aldermen of the town of Bolivar be and they are hereby authorized to levy a special tax on all property, both real and personal, not exempt from taxation by the State, of not more than thirty (30) cents on each one hundred (\$100.00) dollars worth of taxable property, and not more than one dollar (\$1.00) on each poll, and on all privileges declared such by the laws of the State, a sum equal to and not to exceed the amount and rate as now fixed or to be fixed by the revenue laws of the State, for school purposes, to be used in the aid of the public schools of the town, under the direction of said Board of Mayor and Aldermen.

Section 2. *Be it further enacted*, That before such levy Election. is made the proposition shall be submitted to the qualified voters of said town at a special election for said town on the second Saturday of April, 1897. If a majority of the voters in said election favor the levy, it may be made as all other taxes for said town are

made. Those favoring said tax shall have on the ticket they vote in said election, "For the School Tax," those opposing shall have on their tickets, "Against the School Tax."

Special school commissioners.

Sec. 3. *Be it further enacted,* That the Board of Mayor and Aldermen of said town of Bolivar shall elect three persons owning property in said town, from the qualified voters thereof to be known as "Special School Commissioners," whose term of office shall be for three years, except on the first election, when said term shall be for and up to the next regular election held in said town for Board of Mayor and Aldermen, when their successors shall be elected for three years, by the qualified voters of said town, whose duty it shall be to use the special tax hereby provided in aid of and in connection with the public schools of the said town of Bolivar. Said commissioners to execute bond, as required by law, for the faithful performance of this duty, and to be amenable to the said Board of Mayor and Aldermen, who shall have power to suspend any of said commissioners for proper reason. The salaries of said commissioners are to be fixed by the said Board of Mayor and Aldermen.

Taxes, how collected and disbursed.

Sec. 4. *Be it further enacted,* That the said taxes shall be collected and paid into the treasury of said town of Bolivar, as all other of said town's revenues are collected and paid in, and shall be paid out on the warrant of said commissioners, approved by the Mayor for the purposes only for which said tax is levied.

Duty of trustee.

Sec. 5. *Be it further enacted,* That the county trustee of Hardeman County be and he is hereby required to pay over to the commissioners hereinbefore provided the pro rata of the school fund, assessed and collected by the county on the property and polls within the corporate limits of said town of Bolivar, to be used by the said commissioners as herein provided.

Sec. 6. *Be it further enacted,* That all laws or parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 15, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.
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CHAPTER 269.

[SENATE BILL NO. 80.]

AN ACT to protect quail or partridges, their nests and eggs.

Section 1. *Be it enacted by the General Assembly of Game law, the State of Tennessee,* That it shall be and is hereby declared unlawful for any person to hunt, kill, net, trap, shoot, wound, or capture quail or partridges in the county of Bedford at any season of the year for the period of five years from the passage of this Act.

Sec. 2. *Be it further enacted,* That it shall be and is hereby declared unlawful for any person to destroy the nest or eggs of the birds mentioned in Section 1 of this Act.

Sec. 3. *Be it further enacted,* That any person violating the provisions of this Act, upon conviction, shall be fined for the first offense not less than five dollars nor more than twenty-five dollars, and for each subsequent offense, not less than twenty-five dollars nor more than fifty dollars, and imprisonment at the discretion of the court not exceeding three months.

Sec. 4. *Be it further enacted,* That the grand juries shall have inquisitorial powers of all violators of this Act, and the circuit or criminal judges shall give the same in charge to grand juries.

Sec. 5. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 5, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 270.

[SENATE BILL NO. 228.]

AN ACT to change the line between Lewis and Hickman Counties.

**Change of line
between Hick-
man and Lew-
is counties.**

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line now dividing the counties of Hickman and Lewis be so changed as to include within the county of Lewis, all of the lands, farms, and homes embraced within the following metes and bounds, to-wit: Begins at the crossing of the Coon creek and Linden roads, the common corner of Perry and Hickman and Lewis Counties, running thence north 12 degrees, west five hundred (500) poles to a pile of stones; thence north 65 degrees, east four hundred and twenty-four (424) poles to a white oak; thence north 19 degrees, east one hundred and eighteen (118) poles to a spotted oak; thence north 74 degrees, east forty-two (42) poles to a stake; thence north $31\frac{1}{2}$ degrees, east one hundred and six (106) poles to a chestnut tree; thence south 63 degrees, east fifty-six (56) poles to a stake on steep point; thence north $81\frac{1}{2}$ degrees, east seventy poles to a spotted oak; thence north 4 degrees, east one hundred and four (104) poles to the center of Cane creek; thence with the meanderings of said creek about north 60 degrees, west about one hundred and sixty (160) poles to a point opposite the cross fence between John E. Sisco and A. J. Pace; thence north 15 degrees, east, with Sisco's line, one hundred and thirty (130) poles to a hickory; thence north 83 degrees, east thirty-seven (37) poles to a hickory; thence south 45 degrees, east twenty-two (22) poles to a white oak; thence north 64 degrees, east thirty-eight (38) poles to a spotted oak; thence south 79 degrees, east fifty (50) poles to the pathway on top of ridge that divides the Deprust branch from Pace branch; thence with the meanderings of said pathway, a course varying from north 45 degrees, east to north four hundred and eighty (480) poles to a large stone on south side of road running from Kimmens to Pleasantville; thence with said road and the Beaverdam road, a course varying from north 85 degrees, east to south 50 degrees, east fifteen hundred and sixty (1,560) poles to the Lewis County

line, westerly of Kimmins; surveyed January 21, 22, and 23, 1897. All bearings read from magnetic meridian with instrument that reads 3 degrees, 18 minutes easterly of true meridian.

W. J. HALE,
County Surveyor.

Lewis County, Tennessee.

W. W. BROWN,
J. P. TALLEY,
WILL GOODMAN,
W. E. HUMPHREYS,

C. C.

Including in the said county of Lewis the lands, farms, and homes of the following, to-wit: G. W. Skelton, Sr., R. A. Mitchell, G. W. Hinson, G. W. Skelton, Jr., Thos. James, E. C. Bastian, L. W. Hinson, J. R. Duncan, P. K. J. Hensley, W. H. Crowe, Bryant Mathis, D. C. Anderson, S. J. Downing, Elisha Talley, S. H. Hinson, A. H. Wylie, Budd Mathis, J. E. Sisco, E. M. Hinson, Richard Willis, W. W. Brown, D. D. Humphreys, C. W. Moody, A. T. Wylie, J. P. Talley, Ruben Mathis, W. H. Bastian, J. H. Brown, W. W. Quillin, J. A. Sisco, R. Lee Hinsley, William James, John Harper, D. L. Hinson, W. A. Pace, F. J. Cheatham, J. A. Goodman, C. A. Lancaster, "land" by Union Bank and Tr. Co., Executor; J. H. Sisco, W. A. James, J. M. Carson, Solomon Hinson, J. D. Brown, J. E. McCullom, W. T. Duncan, W. J. Garrette, Jonathan Duncan; and also all other farms and lands and homes embraced within said metes and bounds, as hereinbefore expressly set forth.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 271.

[SENATE BILL NO. 99.]

AN ACT to amend Section 1 of the Act approved January 24, 1895, entitled "An act to incorporate the town of Binghampton, in Shelby County, Tenn.," being Chapter 4 of the Acts of 1895, by extending the corporate limits of said town.

Amendment of incorporating act. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1 of the Act approved January 24, 1895, entitled, "An Act to incorporate the town of Binghampton, in Shelby County, Tennessee," being Chapter 4 of the Acts of 1895, be and the same is hereby amended so that the corporate limits of said town shall be extended as follows: Commencing at the intersection of the southeast line of Vine avenue, as laid down on the plot of the Binghampton subdivision as the same appears of record in the office of the register of Shelby County, Tennessee, with the south line of Broad street; running thence eastwardly on the south line of Broad street to the east line of Vine avenue; thence northwardly, on the east line of Vine avenue, to the south line of Summer street; thence eastwardly, with the south line of Summer street, to the west line of Scott avenue; thence south, with the west line of Scott avenue, to the south line of Broad street; thence westwardly, with the south line of Broad street, to the southeast line of Vine avenue, to the beginning.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 5, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 272.

[HOUSE BILL NO. 551.]

AN ACT to amend an act approved May 10, 1895; being Chapter 127 of the regular session of 1895, entitled "An act to protect fish in the State of Tennessee."

Section 1. *Be it enacted by the General Assembly of Fish law. the State of Tennessee,* That it shall be lawful for any resident of Maury County, Tennessee, to catch fish with their hands in any stream or streams in said county, during the months of June, July, and August of each year.

Sec. 2. *Be it further enacted,* That all laws and parts of laws in conflict with this Act, be and are hereby repealed.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved March 26, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 273

[HOUSE BILL NO. 125.]

AN ACT to create and regulate the office of County Judge of Cumberland County.

Section 1. *Be it enacted by the General Assembly of Qualifications of county judge. the State of Tennessee,* That there shall be elected by the qualified voters of Cumberland County a person, learned in law, to be styled a County Judge of Cumberland County, who shall not be under thirty years of age, and who shall hold his office a term of eight years from the date of his commission; said person to be a citizen of Cumberland County and a person of good moral character.

Sec. 2. *Be it further enacted,* That the first election of county judge of Cumberland County shall be held at the same place and at the same time and by the same officers that other county elections are held, on the

first Thursday in August, 1898, and under the same rules and regulations that are prescribed by law for other county elections, and subsequent elections, except vacancies, which shall be filled when they occur in the manner prescribed by law, on the first Thursday in August every eight years thereafter.

Jurisdiction. Sec. 3. *Be it further enacted,* That the county judge of Cumberland County shall have, and exercise all the rights, powers, and jurisdiction that are conferred by existing laws upon the county judges of this State, and shall comply with all the requirements of and perform all the duties imposed by law, creating and regulating the powers and duties of county judges.

**Same as chair-
man.** Sec. 4. *Be it further enacted,* That all the powers and jurisdiction now vested in and belonging to the chairmen of the county courts of this State, be and the same are hereby conferred upon the county judge of Cumberland County, who is hereafter to be elected by the qualified voters of Cumberland County, and the office of the chairman of the county court of Cumberland is hereby abolished from and after the first Monday in May, 1897.

Salary. Sec. 5. *Be it further enacted,* That the county judge of Cumberland County shall receive a salary of three hundred dollars (\$300) per annum, to be paid quarterly out of the revenue collected for the years which the services are rendered.

**Governor to
appoint.** Sec. 6. *Be it further enacted,* That the present chairman of the county court of Cumberland County continue to hold the county court of said county until the first Monday in May, 1897; during which time it shall be the duty of the Governor to appoint a judge under this Act, and duly commission him to fill out the time from the first Monday in May, 1897, until the regular election in August, 1898.

Sec. 7. *Be it further enacted,* That this Act shall repeal all laws and parts of laws that conflict with it.

Sec. 8. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 4, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 12, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 274.

[SENATE BILL NO. 242.]

AN ACT to authorize the city of Memphis to reduce assessments in certain cases.

Whereas, by existing laws the taxes of the city of ^{Preamble.} Memphis are collected for each year, on the State and county assessment for the preceding year; and;

Whereas, it has happened, and may hereafter happen, that the improvements on realty or personal property thus assessed, may be wholly or partially destroyed by fire or otherwise, before the beginning of the year for which the tax is levied;

Therefore be it enacted by the General Assembly of the State of Tennessee, Section 1. That whenever the improvements on real property, or whenever personal property in the city of Memphis, shall be assessed for taxes, and shall after such assessment, and before the tenth of January of the next succeeding year be destroyed wholly or partially by fire or otherwise, the legislative council of said city shall have power to reduce the assessment to the actual value of the property on said tenth day of January, , the whole value of the property to be taken, as conclusively determined by the last preceding assessment, and the reduction to be of such proportion thereof as may have been destroyed by fire or otherwise. ^{Change of assessment.}

Sec. 2. *Be it further enacted,* That all laws and parts of laws, and especially Section 3, Chapter 84 of the Acts of 1879, in so far as the same conflict with this Act, be and the same are hereby repealed.

Sec. 3. That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 15, 1897

ROBT. L. TAYLOR,
Governor.

CHAPTER 275.

[SENATE BILL NO. 503.]

AN ACT to authorize and enable the Mayor and Aldermen of Somerville, Tenn., to issue coupon bonds for the purpose of putting into operation a system of water-works and electric lights, and improve the public square and streets of said town.

Authority to issue \$10,000 bonds.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of the town of Somerville, Tennessee, are hereby authorized and empowered in their corporate capacity to issue interest bearing coupon bonds with coupons attached, signed by the Mayor and countersigned by the Recorder of said town, to an amount not to exceed the sum of ten thousand dollars, or such part thereof as they shall find necessary, and to negotiate and sell the same for the purpose of raising money to purchase, erect, put down, and equip a system of water works and electric light plant, and to improve the public square and streets of said town.

Terms of issue

Sec. 2. *Be it further enacted,* That said bonds shall be issued in such denominations as the Mayor and Aldermen may desire and order, and shall mature in twenty years from date of issuance, and one-fourth of the amount of said bonds, or any amount under one-fourth issued under this Act, may be redeemed at the option of said Board of Mayor and Aldermen after the expiration of five years from date of issue, and one-fourth or any amount under one-fourth after ten years from date of issue, and one-fourth of the amount, or any amount under one-fourth, after fifteen years from date of issue. The said bonds shall bear interest not to exceed 6 per cent. per annum, payable semi-annually.

Election.

Sec. 3. *Be it further enacted,* That before said bonds shall be issued the Mayor and Aldermen shall cause an election to be held in said town, to submit the question to the qualified voters of the town to ascertain whether or not they are in favor of issuing said bonds, and at least twenty days' notice shall be given by printed posters of the time, place, and purpose of said election; and if a majority of the votes cast at said election shall favor the issuing of said bonds, then the Mayor and Aldermen shall issue them as prescribed in the above section. Those in favor of issuing the bonds shall have printed or written on their

ticket, "For Bonds," those, opposed, "Against Bonds." That in case the proposition to issue said bonds shall fail to carry at any such election by said majority vote, the Board of Mayor and Aldermen of said town shall have the right to order another election to be held in the same way and upon the same notice for said purpose from time to time, as above set forth; however, no two of said elections shall be held within three months of each other.

Sec. 4. *Be it further enacted,* That after the issuance ^{Tax.} of said bonds, the Mayor and Aldermen of said board are hereby authorized and empowered to levy and collect annually a special tax not exceeding twenty-five cents on the one hundred dollars on the assessed valuation of all taxable property, and to levy and collect a tax on privileges within the corporate limits of said town for the purpose of paying the interest on said bonds, and to create a fund with which to pay off and redeem the bonds herein authorized to be issued.

Sec. 5. *Be it further enacted,* That the above bond tax shall be collected by and paid over to the treasurer of the town as other taxes, and shall be paid out by said treasurer when due interest coupons are presented to him for payment, or when ordered by the Board of Mayor and Aldermen to pay the same on said bonds. Said bonds and coupons, when taken up by said treasurer, shall be his voucher to the Board of Mayor and Aldermen, and the same shall be cancelled as other warrants are cancelled.

Sec. 6. *Be it further enacted,* That the Board of ^{Board to con-}_{trol plant, etc.} Mayor and Aldermen may elect officers for the operation of said plants and fix their salaries and prescribe by ordinance the rate charged to consumers of water, or persons using electric lights, either or both, or may make special contracts in special cases and prescribe penalties for any violation of the rules and regulations of said water and electric light systems, and shall have power to establish and enforce all necessary rules and regulations of said works, and for the use of good water and lights, either or both, and to locate the same in the town thereof, and to do and perform all acts necessary to the successful operation of the same.

Sec. 7. *Be it further enacted,* That the date of issuance, number, and amount of each of said bonds, when due, and the number and amount of each coupon, and when due, and to whom sold, shall be entered by the recorder of the town in a well bound book, and when the same is paid and cancelled, the said recorder shall so enter, stating date the same was paid and cancelled.

Collection and
disposition of
tax.

Power to contract and grant franchises.

Sec. 8. *Be it further enacted*, That the Mayor and Aldermen of Somerville, Tennessee, are hereby authorized and empowered to grant franchises, and make contracts with any individual or company to put in a system of water works, electric light plant, either or both, in said town, to grant to said individual or company the exclusive right to operate the same in the town for a period not to exceed twenty years from the date of granting said franchise, and to make contract with any such individual or company for the city for all necessary light and water privileges for a period of time not exceeding franchise granted; the town to have the option to buy any or all of said plants at any time within the first five years at any price agreed on, but not to exceed actual net cost, and ten per cent. thereon, and if they should so purchase they may pay for the same in bonds issued after election as hereinbefore provided; but the power given in this section shall not be exercised if said town shall establish plants as provided for in this Act for the town and by the town, and this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 276.

[HOUSE BILL NO. 81.]

AN ACT to amend Chapter 127, an act for the protection of fish in the State of Tennessee.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1 of Chapter 127, an Act passed May 7, 1895, for the protection of fish in the State of Tennessee, be so amended as to make it lawful to take fish from any of the streams, lakes, rivers, or ponds, within the counties of Wayne, Perry, Humphreys, Marshall, Union, and Campbell, by grubbing and gig except during the months of March, April, and May.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 19, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 277.

[HOUSE BILL NO. 473.]

AN ACT to amend the charter of the city of Memphis, said charter being embraced in an act entitled "An act to establish taxing districts in this State, and to provide the means of local government for the same," being Chapter 11 of the Acts of 1879, and acts amendatory thereof, so as to provide that the day and night police of said city, inclusive of the chief, should consist of one policeman to every seven hundred and fifty inhabitants by the Federal census of 1890.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Acts aforesaid, constituting the charter of the city of Memphis, be and the same are hereby so amended as to provide that the day and night police, exclusive of the chief of said city, may

Amending
charter of
Memphis.

consist of one policeman to every seven hundred and fifty inhabitants by the Federal Census of 1890, and so much of said Acts as limits the number of day and night policemen, exclusive of the chief, to one policeman to every seven hundred and fifty inhabitants by the Federal Census of 1870, is hereby repealed; *Provided*, that in no case shall the number of policemen allowed under this Act exceed the present number of policemen by more than six.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 1, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 278.

[HOUSE BILL NO. 796.]

AN ACT to change the line between Scott and Campbell counties.

Change of line. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Campbell and Scott be and the same is hereby changed so as to run as follows: Beginning on a dogwood and rock in the present line between said counties; then running west 160 poles to a stake; thence south 40, west 250 poles to a stake in the present county line so as to include the lands of Calvin Allen and David Lay in said Campbell County.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 279.

[HOUSE BILL NO. 578.]

AN ACT to change the county line between Davidson and Williamson counties.

Section 1. *Be it enacted by the General Assembly of Change of line the State of Tennessee,* That the line now dividing Davidson and Williamson Counties be so changed that it shall begin at the point where the present county line intersects the western boundary line of the farm of Mrs. Annie H. Williams; thence running south 3 degrees, west 144.5 poles to a point; thence south 87 degrees, east 232 poles to a point; thence south 3 degrees, west 54 poles to a point; thence south 88 degrees, east 172 poles to a point; thence north to the present county line, so as to include the farms now belonging to Hugh L. Phillips, Mrs. Margaret Phillips, Mrs. Annie H. Williams, R. N. Carmack, and A. J. Caldwell, in the eighth civil district of Davidson County.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 9, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 280.

[HOUSE BILL NO. 537.]

AN ACT to amend Chapter 127, pages 256-7, of the Acts of 1895, entitled "An act for the protection of fish in Tennessee, so as to permit persons to catch fish in traps and nets in Roane, Anderson, Morgan, Scott, Rhea and McMinn counties.

Amending fish law. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 127, page 256 of the Acts of 1895, be so amended as to allow persons to fish with nets, traps, baskets, and seines in the counties of Roane, Scott, Anderson, Morgan, Rhea, and McMinn; *Provided*, that no nets or seine shall be knit with a less catching capacity than $1\frac{1}{2}$ inches; and, *Provided*, that no trap shall be so constructed as to prevent the free passage of fish at any tide of water up and down the streams of said counties.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage.

Passed March 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Returned to the House by the Governor without his signature, more than five days after presentation to him, and allowed to become a law by lapse of time.

REAU E. FOLK,
Clerk of the House.

May 1, 1897.

CHAPTER 281.

[SENATE BILL NO. 531.]

AN ACT to amend Chapter 127, Acts of 1895, relative to the protection of fish in Smith, Putnam and Weakley counties.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 127 of Acts of 1895, being entitled, "An Act for the protection of fish in the State of Tennessee," be so amended as to exclude Smith, Putnam, and Weakley Counties from the provisions and operation of said Act, except as to the killing of fish by poison, dynamite, and other explosives.

Sec. 2. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

This bill was not signed by the Governor, but becomes a law without his signature, he having had same longer than the time prescribed by the Constitution.

MANN WILLIS,
Chief Clerk of the Senate.

May 1, 1897.

CHAPTER 282.

[SENATE BILL NO. 598.]

AN ACT to allow the qualified voters of the city of Knoxville to determine whether said city shall subscribe ten thousand dollars to the construction and maintenance of a city hospital in said city, and to provide for the raising of a fund for that purpose, in case said voters shall determine to make such subscription.

Election. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the sheriff of Knox County shall open and hold an election at the several voting places in the city of Knoxville, on the day of 1897, for the purpose of allowing the qualified voters of said city to determine whether said city shall subscribe the sum of ten thousand dollars to the construction and maintenance of a city hospital in said city. All male citizens who are qualified to vote for members of the General Assembly shall have the right to vote at said election. All voters who are in favor of such subscription will write upon their ballot the words following, to-wit: "For the Hospital," and those who are against such subscription shall write upon the ballot the words following, to-wit: "Against the Hospital."

Returns, etc. Sec. 2. *Be it further enacted,* That the sheriff shall report to the Mayor and Aldermen of the city of Knoxville the result of said election, and shall file with them his return and the poll lists and tally sheets of said election.

Sec. 3. *Be it further enacted,* That if a majority of three-fourths of the vote of all the votes cast at such election shall be in favor of such subscription, then and in that case the subscription shall be made.

Sec. 4. *Be it further enacted,* That the expenses of holding said election shall be paid out of the treasury of the city.

Tax levy under certain conditions. Sec. 5. *Be it further enacted,* In the event that three-fourths of the voters voting at such election shall be in favor of such subscription, it shall then be the duty of the Mayor and Aldermen of said city of Knoxville, to make the subscription of \$10,000.00 in aid of the building, construction, or improvement of said city hospital, and levy and collect a tax and pay the same to the treasurer of said city hospital.

Sec. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 283.

[SENATE BILL NO. 553.]

AN ACT to exempt Lincoln and Carroll, Macon and Meigs counties from the fish law of 1895, and to define the manner of fishing in said counties.

Section 1. *Be it enacted by the General Assembly of Fish law. the State of Tennessee,* That it shall be lawful to catch fish in Lincoln, Macon, Meigs, and Carroll Counties, in every way, and at all times, except by the use of explosives and poisons and devices that prevent the easy passage of the fish up and down the streams of said counties.

Sec. 2. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed April 7, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 284.

[SENATE BILL NO. 499.]

AN ACT to amend the charter of Fayetteville and Elkton Turnpike Company; to amend an act to incorporate the Raleigh Mineral Springs Hotel Company, amendatory of an act to incorporate the Jennings' Fork Turnpike Company; to revive the charter of the Fayetteville and Boon's Hill and Pulaski Turnpike.

Amending
corporate
charter.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the Fayetteville and Elkton Turnpike Company be and the same is hereby amended so that the grade of said road shall not exceed seven degrees instead of five degrees as was required by the charter.

Sec. 2. *Be it further enacted,* That all laws and parts of laws in conflict with this Act are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed April 7, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 285.

[HOUSE BILL NO. 663.]

AN ACT to amend an act approved May 10, 1895, being Chapter 127 of the regular session, 1895, entitled "An act for the protection of fish in the State of Tennessee."

Fish law.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be lawful for any resident of Giles County to catch fish in the following manner: By hands or grabbling, by the use of baskets and by slat trap; *Provided*, that the slat of traps are $1\frac{1}{2}$ inches apart, and by seining, provided the meshes are one and one half inches apart.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 286.

[SENATE BILL NO. 565.]

AN ACT to authorize the city of Memphis to take the census of said city.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the legislative council of the city of Memphis, is hereby authorized and empowered to cause an accurate census of said city to be taken, by a competent and reliable party, with such assistants as may, in the judgment of said council, be required, who shall first take and subscribe to an oath to faithfully and honestly discharge the duties to which they may be assigned under this Act. The form of said oath, and the detailed regulations for taking said census, to be prescribed by ordinance of said city.

Section 2. *Be it further enacted*, That after the census returns shall be received, examined and approved by said legislative council, it shall be the duty of the secretary of said council, to send to the Secretary of State a certificate under the official seal of said city, showing the number of inhabitants of said city of Memphis, based upon the returns of the census taken, made under authority of this Act.

Section 3. *Be it further enacted*, That the expense of taking such census, be paid by the city of Memphis, and

when the same shall be certified, as aforesaid to the Secretary of State, it shall be recognized as the official State census of said city until a new census of said city shall be taken by or under the authority of the State government.

Sec. 4. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 287.

[HOUSE BILL NO. 329.]

AN ACT to change the line between Overton and Pickett counties.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between Overton and Pickett Counties be changed so as to include all of the farm of R. H. Smith in Overton County.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 26, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 288.

[HOUSE BILL No. 495.]

AN ACT to better provide for the catching of fish in the county of Cocke, and to provide punishment for any violation of this Act.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be lawful for any person or persons to catch fish in any of the streams of Cocke County by the following devices, viz: By hook and line, trot line, gigging, shooting, or by seining; *Provided*, the meshes of the seine shall not be less than one inch; *Provided*, that the rivers of Nola Chucky and French Broad are excepted from the provisions of this Act, where said rivers run through Hamblen County.

Sec. 2. *Be it further enacted,* That it shall be unlawful for any person or persons to catch fish in any of the streams of said county, except as provided for in Section 1, from the first day of April to the 15th day of June, except by line and hook and trot line.

Sec. 3. *Be it further enacted,* That it shall be unlawful for any person or persons to export fish out of said county at any time for the purpose of sale or profit.

Sec. 4. *Be it further enacted.* That any person violating any of the provisions of this Act shall be guilty of a misdemeanor, and, upon conviction, be fined not less than five nor more than ten dollars for each and every offense.

Sec. 5. *Be it further enacted.* That the judges holding the criminal and circuit courts shall give this Act specially in charge of the grand jury and the grand jury shall have inquisitorial powers over this Act.

Sec. 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 289.

[HOUSE BILL NO. 134.]

AN ACT to protect game birds in the county of Dyer.

Misdemeanor. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be a misdemeanor for any person to hunt, capture, kill, shoot, or net any quail or partridge in the county of Dyer from the first day of April to the first day of September, inclusive, of each and every year.

Same. Sec. 2. *Be it further enacted,* That it shall be a misdemeanor for any person or persons to kill, shoot, take or capture any quail or partridge in said county for profit, except it be on their own premises or by permission from owners or agents.

Sec. 3. *Be it further enacted,* That it shall be a misdemeanor for any person to export or receive for exporting from said county for profit, any quail or partridge at any time.

Penalty. Sec. 4. *Be it further enacted,* That whoever shall violate either of the first two sections of this Act shall be punished by a fine of not less than five nor more than twenty dollars: and whoever shall violate the third section of this Act shall be punished by a fine of not less than ten nor more than twenty-five dollars and imprisonment not more than ten days, in the discretion of the court.

Grand jury. Sec. 5. *Be it further enacted,* That the grand jurors shall have inquisitorial powers to send for witnesses and make presentments for violation of this Act without a prosecutor.

Sec. 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 26, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 290.

[HOUSE BILL NO. 528.]

AN ACT to amend an act entitled "An act to reduce the acts incorporating the city of Knoxville and the various amendments thereto to one act, and to amend the same," passed and approved June 10, 1895, by authorizing the Board of Mayor and Aldermen of the city of Knoxville to levy a special tax of five cents on each one hundred dollars of real and personal property in said city, for the purpose of erecting a building and making an exhibit for said city at the Tennessee Centennial Exposition.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Board of Mayor and Aldermen of the city of Knoxville be and they are hereby authorized and empowered to levy a special tax of five cents on each one hundred dollars of real and personal property in said city, for the purpose of erecting a building and making an exhibit for said city at the Tennessee Centennial Exposition; said exhibit to be such as said Board of Mayor and Aldermen may think proper to be made at said Centennial.

Sec. 2. *Be it further enacted,* That so much of Section 10 of the said Act entitled "An Act to reduce the Acts incorporating the city of Knoxville and the various amendments thereto to one Act, and to amend the same," passed on said June 10, 1885, as prohibits the said Board of Mayor and Aldermen from making an appropriation of money or credit in the way of a donation, be and the same is hereby modified so as to allow the specific levy and appropriation above provided for, but none other.

Sec. 3. *Be it further enacted,* That so much of said ^{same.} Act, approved June 10, 1885, as prohibits said Board of Mayor and Aldermen from levying a larger tax than \$1.25 on each \$100.00 of property, be and the same is so modified as to permit the levy of the five cents on the one hundred, as above provided for, but none other than this particular levy, in addition to the regular \$1.25 on each \$100.00 annually.

Sec. 4. *Be it further enacted,* That said levy of five cents for each \$100.00 of property shall be levied in the year 1897 for 1897, and for no other year or purpose.

Sec. 5. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 12, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 291.

[SENATE BILL NO. 556.]

AN ACT to repeal Sections 32, 33, 34, 35, 36, 37, 38, 39, and 40 of Chapter 44, and an act to incorporate Alpha Lodge of Free and Accepted Masons, and for other purposes, of the Acts of 1868-69.

Repeal. Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, that sections thirty-two to forty, both inclusive, of Chapter 44 of the Acts of 1868-9, passed February 12, 1869, be and the same is hereby repealed, the people of the town of Huntsville, Scott County, Tennessee, never having availed themselves of said Act by incorporation.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 292.

[SENATE BILL NO. 478.]

AN ACT to amend Chapter 135 of the Acts of 1895.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That sections 1 and 2 of Chapter 135 of the Acts of 1895 be amended as follows: Amending fish law
That no person shall be permitted to take fish from any of the streams of Montgomery County in any manner except by baited single hook, or by use of trot line. The use of grab hook, snatch hook, or gig, is especially prohibited, except minnows, which may be caught in a seine, exclusively for bait.

Sec. 2. *Be it further enacted,* That a new section be added as follows: Be it further enacted, That the County Court of Montgomery County be and is hereby authorized to appropriate a sum not to exceed two hundred and fifty dollars (\$250.00) for the purpose of enforcing said laws by watching the streams for violation of same.

Sec. 3. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Sec. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 293.

[SENATE BILL NO. 385.]

AN ACT to repeal the charter of the town of Perryville, Decatur County, Tenn., and render said charter invalid.

Repeal of charter of Perryville. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter incorporating the town of Perryville, in Decatur County, Tennessee, be and the same is hereby repealed and abolished, and the charter privileges of said town as municipal corporation revoked, and the said charter rendered null and void.

Sec. 2. *Be it further enacted,* That this Act take effect on the first day of August 1897, the public welfare requiring it.

Passed April 7, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 294.

[SENATE BILL NO. 132.]

AN ACT to amend an act passed April 2, 1897, entitled "An act to amend Chapter 20, Acts of Extra Session, 1885, entitled 'An act to divide the State of Tennessee into judicial circuits and chancery divisions,'" etc.

Time of holding circuit court in certain counties. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section six (6) of said Act passed April 2, 1897, be so amended as to read as follows: Be it further enacted, That the circuit courts in the fifth (5th) judicial circuit shall be held at the following times: In Putnam County, first Tuesday after first Monday in January, May, and September. White County, third Monday in January, May, and September. Overton County, first Monday in February, June, and October. Pickett County, second Monday in April and October. Clay County, fourth Monday in February,

and third Monday in June and October. Jackson County, first Monday in March, July, and November. Macon County, first Wednesday after second Monday in March, and third Monday in July and November. Smith County, fourth Monday in March, July, and November. Trousdale County, second Monday after the fourth Monday in March, July, and November. Cumberland County, fourth Monday in April and October.

Sec. 2. *Be it further enacted*, That section seven (?) of said Act passed April 2, 1897, be so amended as to read as follows: That the chancery courts of the fifth chancery division be held at the following times: In Smith County, on the first Monday in March and September. Macon County, on the first Wednesday after the second Monday in March and September. Jackson County, on the third Monday in March and September. Clay County, fourth Monday in February and September. Overton County, first Monday in April and October. Pickett County, second Monday in April and October. Fentress County, third Monday in April and October. Cumberland County, fourth Monday in April and October. White County, first Tuesday after the first Monday in June, and the first Monday after the fourth Monday in October. DeKalb County, second Monday after the fourth Monday in April and October. Putnam County, first Tuesday after the second Monday in June and December.

Sec. 3. *Be it further enacted*, That the Chancellor of the fifth division shall hold the March Term of the circuit court in Macon County, and the Judge of the fifth circuit shall hold the April Term of the chancery court of Cumberland County, and the Chancellor shall hold both the circuit and chancery courts in Pickett County at the April Term, and said Circuit Judge shall hold both said courts at the October Term.

Sec. 4. *Be it further enacted*, That this Act shall take effect from and after its passage, except as to the chancery courts in Cumberland, Putnam, and White counties, and as to them after the first term of the courts in said counties as fixed by said Act of April the second, 1897, the public welfare requiring it.

Passed April 30, 1897.

JOHN THOMPSON,

Speaker of the Senate.

MORGAN C. FITZPATRICK,

Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR.

Governor.

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CHAPTER 295.

[HOUSE BILL NO. 392.]

AN ACT to compile the several acts incorporating the town of Shelbyville, and the several acts amendatory thereto, into one act, and to amend the same, and repeal all acts in conflict with this act.

Amending
charter of
Shelbyville.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the several Acts and parts of Acts heretofore passed incorporating the town of Shelbyville or the Mayor and Aldermen of said town, and the several Acts and parts of Acts amending the charter of said corporation as are herein compiled, modified, and amended, shall be and are hereby declared and designated the Charter of the Town of Shelbyville.

Corporate
name and
style.

Sec. 2. *Be it further enacted,* That the town of Shelbyville, in the County of Bedford; and the inhabitants thereof, are hereby constituted a body politic and corporate by the style and name of the Town of Shelbyville, and shall have perpetual succession, and by their corporate name may sue and be sued, may grant, receive, purchase, and hold real and personal property, or dispose of same for the benefit of said town, and may have and use a common seal.

Boundaries,
etc.

Sec. 3. *Be it further enacted,* That the boundaries of said town shall be as follows: Beginning at the northeast corner of J. H. C. Seales' lot, the same being the intersection of the present corporation line with "Mud" street; thence north with the east side of Mud street 200 feet, where said street turns east; thence east along the south side of said street 130 feet where said street turns north; thence north along the east side of Mud street 1,700 feet to a stake on the south side of Damascus Cooper's land; thence east along the south side of said lane 520 feet to the Nashville pike; thence slightly southeast 160 feet to the south angle of the Fairfield turnpike; thence eastwardly with the south side of said turnpike 740 feet to a stake on side of the pike; thence S. 3° west 1,750 to old corporation line; thence S. 87 degrees east 1,780 feet, to a stake; thence south $34\frac{1}{2}$ degrees east 1,900 to a point on N. and C. railroad; thence south $10\frac{1}{2}$ degrees west 700 feet; thence S. $31\frac{1}{2}$ degrees west 2,375 feet; thence south $35\frac{1}{2}$ degrees west 480 feet to Tullahoma turnpike; thence south $84^{\circ} 35'$

west 2,574 to the Flat Creek turnpike, opposite McCorkle's residence; thence north 24 $\frac{1}{2}$ degrees west to old corporation line; thence westwardly with old corporation line to Duck River; then down the north bank of Duck River to west boundary line of old corporation; thence north along the old boundary line to the corner where it turns east; thence east along old corporation line to beginning; *Provided*, however, that no taxes shall be assessed or collected on persons or property living or being within the territory included in the extension of the corporate limits, as fixed by the above boundaries, for the purpose of paying any of the present outstanding warrants of the town of Shelbyville, it being the express intention of this proviso to exempt new territory and new citizens from being taxed to pay any of the outstanding warrants of the old corporation.

Sec. 4. *Be it further enacted*, That the legislative and supervisory powers of said town shall be exercised by the Board of Mayor and Aldermen, elected under the provisions of this Act, over whose meetings the Mayor shall preside; two-thirds of all the Aldermen shall constitute a quorum for the transaction of business. In event the Mayor shall be temporarily absent, the Board shall elect one of their own number to preside in his room and stead, in which event one more than a quorum shall be present. In the event of the death of the Mayor, or a vacancy occur in his office by removal, resignation, or otherwise, the Board shall proceed at the first regular meeting after such vacancy occurs to elect one of their own number Mayor, who shall serve for the unexpired term, and the Board shall then elect an Alderman to fill the vacancy occasioned by the election of one of their number to the office of Mayor. The Board shall be composed of a Mayor and six Aldermen, who shall be elected for two years at a general election by the qualified voters of the town. If at such general election there shall be a tie vote, such tie shall be decided by the elected members of the Board at their first regular meeting at which a majority is present, between the candidates receiving the highest number of votes. No person shall be eligible to the office of Mayor or Alderman unless he shall have been a resident citizen of said town for at least two years next preceding said election, and shall be a freeholder in said town, and if the Mayor or any Alderman shall remove from said town, or shall cease to own a freehold in said town, in either event the office of Mayor or Alderman shall thereby become vacant.

Board of may-
or and alder-
men.

Oath.

Sec. 5. *Be it further enacted*, That the Mayor and Aldermen, before entering upon their duties, shall take an oath that they will honestly and faithfully discharge the duties of their offices without partiality, favor, or affection.

Powers and duties.

Sec. 6. *Be it further enacted*, That the Board in session shall judge of the qualifications, elections, and returns of the members of the Board, and shall prescribe rules for the determination of contested elections. It shall prescribe its own rules of proceeding, the punishment of its members for non-attendance or disorderly conduct, and enforce the same; two-thirds of the Board concurring may expel a member for disorderly conduct while a member, subject to appeal as hereinafter provided, which vacancy may be filled as provided in other cases. A less number than a majority can adjourn from day to day, and under the provisions or ordinances may compel the attendance of absent members by fines and penalties for all investigations of all charges against its members or others officers, or such matters pertaining to the town; the Mayor shall, at the discretion of the Board, issue subpoenas and compulsory process to compel the attendance of witnesses, and the production of books and papers. The Board of Mayor and Aldermen shall hold its meetings at such times as it may determine, not more than one regular stated meeting per month.

Compensation

Sec. 7. *Be it further enacted*, That the Mayor of said town shall receive for his services the sum of \$100.00 annually; and the Aldermen of said town shall receive \$2.00 each for each regular monthly meeting actually attended. On no cause, accounts, or pretext whatever shall the Mayor or any Alderman be paid any other sum whatever. It is hereby declared to be a misdemeanor in office, indictable as such, for the Mayor or any Alderman to accept directly or indirectly, or to vote himself or associate any fee or compensation whatever other than herein provided; and on conviction for such offense the offender shall be fined not exceeding \$50.00, to go when collected into the city treasury.

By-laws and ordinances.

Sec. 8. *Be it further enacted*, That the Board of Mayor and Aldermen shall be and is hereby empowered to enact such by-laws and ordinances as may be necessary:—

1. To preserve the health, quiet, peace, and good order of said town, including such quarantine regulations in and for two miles outside the city limits as occasion may require.
2. To prevent and remove nuisances.
3. To levy and collect taxes upon all property taxable by law for State purposes within the limits of said town.
4. To appropriate money and provide for the debts of

said town in the manner hereinafter provided. 5. To provide and establish a system of schools, but to be free from sectarian influences. 6. To provide the town with water works within or beyond the limits of the town, but before an appropriation is made for this purpose the question shall receive a two-thirds vote at an election to be held by the qualified voters of the town under the direction of appropriate ordinances; *Provided*, that the rights of both parties to the present contract for supplying water to the municipality and its citizens shall not be affected by this charter, and all the rights and duties devolving on the Board of Supervisors under the existing charter shall be exercised by the Board of Mayor and Aldermen under this charter, except that the water tax shall be collected and disbursed by the treasurer under this charter; and said Board of Mayor and Aldermen may by ordinance pass all laws necessary to carry out said contract, and to compel the Shelbyville Water Co. to furnish filtered water as contracted, and do and perform all other matters as provided in said contract. 7. To make appropriations to open, abolish, extend, grade, pave, or otherwise improve, clean, and repair the streets, alleys, and sidewalks, or to have the same done; and to establish and keep in repair all sewers, bridges, culverts, and gutters, and may provide to have the town lighted, and to erect all buildings for the use of the city. 8. To license and tax all privileges taxable by the laws of the State, and also hackney coaches, carts, omnibuses, wagons, and drays, and fix the rate to be charged for the carrying of persons within the city. 9. To regulate or prohibit and suppress theatrical and other shows and exhibitions. 10. To regulate and suppress gambling houses, disorderly houses, bawdy houses, and houses of ill-fame, or assignation houses, and all houses where one or more men and women meet for the purpose of lewdness, prostitution or adulterous co-habitation, and fix the punishment for same. 11. To prevent and suppress the carrying of weapons, concealed or otherwise prohibited by general laws; also, to regulate the sale of fire arms as now prohibited by law. 12. To regulate the storage, use and sale of fire crackers and all other fire works, explosives and combustibles and toy pistols. 13. To provide for the inspection, weighing and measuring of stone, coal, wood and all fuel, hay and corn brought to or sold in market for the use of the citizens of the town. 14. To prevent and furnish forestalling and regrating of provisions, and to establish, regulate, and license markets and marketers. 15. To impose fines, forfeits, and penal

ties for the breach of any ordinance adopted under this Act, and to provide for their recovery, and to provide for the arrest of such offenders. 16. To fix from time to time the boundaries and numbers of the wards of the town, but they shall be not less than six. 17. To pass all ordinances necessary for the peace, health, conveniences, safety and good order of the town, and to impose and enforce penalties for the breach of said ordinances. 18. To regulate and prohibit the running at large on the streets of said town, all dogs unless the same be muzzled. 19. To erect and organize a city hall and work-house in or near the town, and to keep such building or buildings now existing or hereafter erected in proper condition and commit to the workhouse all persons who shall fail or refuse to pay or secure any fine and cost, and to keep such offenders so committed until the said fine and cost shall be fully paid or worked out. 20. To provide for the appointment of a police force. 21. To impose fines and forfeitures for the breach of any ordinance, but no fine shall exceed fifty dollars, and no time of imprisonment exceed three months for the same offense. 22. To regulate and provide for the construction of side walks and foot pavements and the owners of any lot fail to comply with the provisions of any ordinance requiring such owners to build or repair side-walks, after due notice the town shall build the same through the agencies of its officers, and the town shall pay for the same, and the amount so paid shall be a lien on said lot or lots which may be enforced in any court of competent jurisdiction under a proper proceeding brought in the name of the town of Shelbyville, but no ordinance ordering the building of such pavement or repairs shall be made until the town has first caused to be built and put down, and its expense, a good and substantial curbing of stone, cut of uniform height and size along the outer edge of said extended pavement. 23. To grant the right of way through the streets and squares of said town for such public purposes as may be expedient. 24. To pass all laws and ordinances whether or not included in the foregoing enumeration of powers that are not prohibited by the Constitution or general laws of Tennessee.

**Mayor, powers
and duties.**

Sec. 9. *Be it further enacted,* That it shall be the duty of the Mayor to carefully examine all bills passed before affixing his signature, and should any such not meet his approval, he shall at the next regular meeting of the Board, after the passage of such bill or next succeeding regular meeting as hereinafter provided, return the same with his objections, in writing, and no laws so vetoed

shall go into effect unless the same be again passed by a majority of the entire Board. No bill shall become a law unless the same shall have been passed three several readings on three separate days by a majority vote, and until the same shall have been signed by the Mayor or unless he fail to veto the same by the next regular or succeeding regular meeting as hereinafter provided; the Mayor may make temporary appointments to fill vacancies occasioned by sickness, absence or other disability of any city officer, appointment of special police being on recommendation of the secretary. Likewise he may make temporary suspensions of officers, except Secretary and Treasurer, for misconduct or inefficiency, but he shall report the same, both temporary appointments and suspensions to the next regular meeting of the Board, by whom final action shall be taken. He may call special meetings of the Board of Mayor and Aldermen, and when in his judgment the good of the town requires it. And he shall state to them in writing the purpose of such meeting, which together with the action of the Board, shall be spread on the minutes of the meeting in the regular minute book and signed by him. He shall sign all license and payable warrants. Any neglect or violation of any provision of this section is hereby declared a misdemeanor, subject to indictment in the circuit court; and, upon conviction, the offender shall be punished by fine of not more than fifty dollars, which shall be paid when collected into the city treasury. When any act shall have passed its third and final reading, the secretary shall deliver in person or mail the original act or a copy thereof, to the Mayor at Shelbyville, Tennessee, at least five days before the next regular meeting of the Board, if so long a time exists before said meeting, but if not, then the Mayor may hold said bill until the second succeeding regular meeting after the passage of said act.

Sec. 10. *Be it further enacted*, That the first general election for Mayor and Aldermen under this Act shall be held on the last Saturday in May, 1897, and biennially thereafter, and the new administration shall be sworn in on Tuesday following the election. The voters shall vote by ballot at such general election, and any person entitled to vote for members of the General Assembly under the laws of Tennessee, and who shall have been resident of the town for six months next preceding the election, shall be entitled to vote and have his vote counted in said election. Non-residents, having a taxable freehold in said town, and being qualified voters of the State, shall also be entitled to vote.

Election of
mayor and
aldermen.

Judges and
clerks of
election.

Sec. 11. *Be it further enacted*, That the judges and clerks of such election shall be appointed by the Board of Mayor and Aldermen and shall take the usual oath required by law of similar officers in the State elections. They shall open the polls, conduct the election, and close the same, and count out the vote in such manner as is provided by the election laws of the State, and they shall certify the result thereof to the Mayor and deliver to him with such certificate the poll lists and ballots. The ballots shall be received and the voter's name entered and numbered on the poll list, and the ballot deposited, and after the ballots are counted out they shall be preserved, replaced in the ballot box, and the same locked, and the box and key delivered to the Mayor, who shall hold the same subject alone to the inspection of the Board of Mayor and Aldermen, or count in case of contest, and in the event of no contest he shall destroy same when the Board shall order at any time after thirty days. Upon the returns being certified to the Mayor, he shall present the same to the outgoing administration at the next meeting, which shall be Tuesday after the general election, when the same shall be publicly canvassed, and the result declared and install the new Board.

Aldermen
only eligible
to office of
mayor.

Sec. 12. *Be it further enacted*, That no member of the Board of Mayor and Aldermen shall be eligible to any office or place of employment in the service of the town except the office of Mayor during the time for which he is elected, nor shall they be directly or indirectly interested in any contract whatever in which the town is concerned. A violation of this section is hereby declared a misdemeanor, and shall subject the offender to impeachment.

Secretary and
treasurer.

Sec. 13. *Be it further enacted*, That at the first meeting of the board after the passage of this Act they shall elect from the resident citizens of said town, two competent persons, who shall have been residents of said town two whole years next preceding their election, who shall be known respectively as secretary and treasurer of said town to serve two years from the date of their election, and biennially thereafter, the Board of Mayor and Aldermen by a majority of the entire board, shall elect two qualified citizens to fill the vacancies occasioned by the expiration of the terms of said officers. In case vacancy should occur by death, resignation or otherwise, leaving an unexpired term, the Board of Mayor and Aldermen shall fill the vacancy by election for such unexpired term.

Sec. 14. *Be it further enacted*, That any officer of the town may be removed from office for incompetency, inefficiency, neglect of duty, drunkenness, or other misconduct by a vote of a majority of the Board of Mayor and Aldermen. In all such cases charges shall be preferred in writing, copy of same served on the offender five days together with notice, stating the time and place of trial, and he shall be allowed to make defense thereto. In all trials the Mayor shall preside except when charges are preferred against him, in which case one of the Aldermen shall be elected to preside. In event of judgment of removal pronounced by the Board of Mayor and Aldermen against any of its members or any of the officers of the town, the person removed, may take such cause to the Circuit Court for Bedford County, Tennessee, for trial *de novo* by praying an appeal from such judgment within two whole days, Sundays excepted, from the date of such judgment of removal and entering into bond in the sum of five hundred dollars, with a good and solvent surety thereto, payable to "The Town of Shelbyville," and conditioned to prosecute his appeal successfully, or, in failure so to do, pay all costs adjudged against him. No appeal shall be prayed or allowed under the pauper oath.

Sec. 15. *Be it further enacted*, That the secretary and treasurer when elected, before entering upon the discharge of their respective duties shall take an oath to faithfully perform the duties of their respective offices. The treasurer shall enter into bond in the sum of not more than ten thousand (\$10,000.00) dollars and the secretary shall execute like bond in the sum of two thousand (\$2,000.00) dollars, each payable to the State of Tennessee for the use of the town of Shelbyville, conditioned that they will faithfully and diligently discharge all the duties of their respective offices and account for and pay over all the money and other property which may come to their hands according to the provisions of this charter and such ordinances as may from time to time be enacted by the board, pertaining to their offices; the bonds shall be signed by two or more good securities and spread on the minutes of the Board and the original of said bonds filed in the office of Board of Mayor and Aldermen. A failure to make and execute such bonds within ten days after election shall vacate the office of the officer so failing, unless further time should be extended by the Board of Mayor and Aldermen, in no event longer than twenty days.

Sec. 16. *Be it further enacted*, That a court is hereby established to be known as the City Court, which shall

Removal of
officers.

be presided over by the secretary, who shall issue warrants in the name of the town of Shelbyville for the arrest of all offenders for offenses created by this Act or any lawful ordinance of said town, and he shall try the same and impose fine and penalty and enforce the collection and payment of the same, or committal to the workhouse all as provided in this charter. The officers trying such causes and all other officers and employees of said corporation shall not take or appropriate any fee or cost for their duties or service, but the same shall be taxed up with the bill of cost and fine and when collected paid over to the treasurer as other moneys of the town, subject to be appropriated for town purposes. All other fees provided in this charter shall be collected and paid into the city treasury subject to appropriation for town purposes.

Duties of
secretary.

Sec. 17. *Be it further enacted,* That the secretary shall keep the minutes of the meetings of the Mayor and Aldermen, shall have charge of all repairs, improvements changes and alternations of all the bridges, culverts, sewers, sidewalks, alleys, streets and public passages of the town, the closing of those now existing, opening and laying out new ones, all subject to such appropriations and ordinances as may be made and passed by the Mayor and Aldermen not inconsistent with this charter, shall hold and preside over the city court adjudicating the guilt or innocence of parties tried before him charged with violating corporate ordinances, shall issue and sign officially all warrants for the arrest of persons charged with violating corporate laws, shall issue subpoenas for witnesses for either or both parties, shall open said court daily, Sundays excepted, unless there are no cases to be tried at some stated hour to be fixed by him, shall have charge of all matters pertaining to lighting the town, furnishing water and fire protection, under present contracts and such new ones as may be made by the Mayor and Aldermen to supply the town with lights and water and furnish fire protection, shall have charge of the cemeteries, sale of lots therein, execution of conveyances to lots sold, prices being fixed by ordinance and direct the sexton in his duties. In event the secretary is incompetent, sick or absent causes returned for trial shall be tried by the treasurer if present and competent, and otherwise by one of the aldermen to be designated by the Mayor. The secretary shall collect fines and costs adjudged, unless secured by party deemed solvent, to be paid in not exceeding sixty days and if not paid at maturity may issue execution against the defendant and surety which have

all the virtue of an execution at law. Fines and costs not paid and not secured shall be worked out and the secretary shall commit parties to the workhouse to be worked out at 75 cents per day, provided that parties committed to the workhouse may be at the discretion of the secretary permitted to make bond with good and solvent surety for appearance to work out fine and costs adjudged with thirty days. For taking such bond a fee of fifty cents shall be taxed against the principal. In event the surety or sureties on any bonds provided in this section prove insolvent, which shall be ascertained by issuance of any execution and return of "*nulla bona*" thereon, the principal in such bond shall be liable to arrest and committed to workhouse as in the first instant to work out the amount due the city and additional costs accrued. He shall have charge of the police, assign them to duty, and inform and advise them from time to time of what is required of them. He shall recommend to the Mayor special policemen to be appointed at such time as in his judgment same is proper; and in the absence of the Mayor shall appoint such special police. He shall make monthly reports to the Mayor and Aldermen, at regular meetings, showing amount of all moneys received, from what source or department received and amount from each defendant, number of lots in cemeteries sold and prices of same, amount of uncollected fines and costs and shall pay over to the treasurer all moneys collected. He shall issue and sign officially all payable warrants directed to issue by the Mayor and Aldermen, duplicates of which warrants shall be kept in a well bound book and not detached.

Sec. 18. *Be it further enacted*, That the treasurer shall annually assess all property in a book prepared for that purpose at the rate fixed by the Mayor and Aldermen, not to exceed \$1.00 on the \$100.00 worth of property on such valuation as he may deem reasonable, without regard to State and county valuation; and if the taxpayer is dissatisfied with such assessed value he may appeal to the Board of Mayor and Aldermen for relief within thirty days after assessment is made. The treasurer shall publish in one of the town papers when the assessment is completed, shall assess the tax levied for water purposes, at the rate fixed by the Mayor and Aldermen, not to exceed 33 1-3 cents on the \$100.00 worth of property, and enter same in a separate column in said book; shall assess all property legally assessable in said corporation, whether the same has or has not been assessed for State and County purposes; shall col-

Duties of
treasurer.

lect all taxes due the corporation and pay out the same, but he shall pay out no money for any purpose whatever, except on bonds, coupons, and payable warrants, issued by said town; shall pay out the water tax only on water warrants; shall issue all license and collect all taxes thereon, including a fee of \$1.00 for each license issued; shall sign all payable warrants directed to be issued by the Mayor and Aldermen; shall make a report to each regular monthly meeting of the Mayor and Aldermen, showing total amount of all moneys received during the month, sources [from] which received, with amounts from each, total amount disbursed during the month, accompanied by vouchers, properly cancelled, on which such disbursements were made, which report shall be spread on the minutes of the Board of Mayor and Aldermen; shall cause to be presented to the Board of Mayor and Aldermen every three months, a full, true, and complete statement of the financial condition of the town, which shall be spread on the minutes of the board and published in one of the town papers. A failure to cause such report to be presented shall be a misdemeanor and indictable as such. No money of the town shall be paid out for any purpose whatever by any one save the treasurer and by him only in the manner prescribed in this charter.

Tax collections.

Sec. 19. *Be it further enacted*, That the treasurer, for the collection of corporate taxes, is hereby vested with the powers conferred by law for the collection of State and county taxes. Lands may be condemned and sold for failure to pay taxes in accordance with the laws of the State, and all other legal procedure instituted and carried out necessary to collect municipal taxes.

Budget.

Sec. 20. *Be it further enacted*, That the Board of Mayor and Aldermen shall, annually at the beginning of each fiscal year, make estimates of the amount of taxes and moneys to be received into the city treasury for city purposes for the ensuing year, and on no account whatever shall liabilities be created or expenditures made to exceed the amount to be received, according to said estimate. Said estimate shall contain separate items, showing the amount of revenue and moneys subject to city purposes generally under this budget presented as directed by this section, and also a statement of taxes levied specially for water, lights, or school purposes, if any.

Police.

Sec. 21. *Be it further enacted*, That the Mayor and Aldermen shall elect all regular policemen, sexton for cemetery, and such other officers and agents, necessary to transact corporate business, under ordinances legally

passed, creating the office and fixing the compensation therefor. The regular policemen shall be elected for a term of three months; on failure to elect regular policemen, special police may be appointed in the manner provided in this charter.

Sec. 22. *Be it further enacted*, That arrests for all ^{Arrests.} violations of corporate ordinances committed within the limits of the town may be made with or without warrants, within the boundaries of said town, and may also be made within one mile of the nearest corporate boundary by any policeman having a warrant for such arrest. The policeman making an arrest is authorized to take bond from the party arrested with surety deemed good for his appearance for trial at the next trial day at the usual hour for such trials, in such sum as he may deem expedient, being not less than fifty dollars nor more than one hundred dollars. Policemen shall do and perform such other duties as may be prescribed by ordinance.

Sec. 23. *Be it further enacted*, That the Mayor shall, from the number of aldermen at the first meeting after their election, appoint three regular standing committees, to-wit: Finance Committee, Street Committee, and such special committees as may be found necessary from time to time to direct and carry out the intent of this Act, subject, however, to such ordinances and regulation as the Board of Aldermen may enact, which may inure to the health, good order, government, and general welfare of the town and its inhabitants. The cost of each department of the city government shall be kept separate, and every payable warrant shall recite on its face the department to which it is chargeable. ^{Standing committees.}

Sec. 24. *Be it further enacted*, That the Mayor shall ^{Fines.} have no power or authority whatever to remit in whole or in part or suspend or in any manner interfere with the enforcement of fines and penalties imposed by the city court on any offender; *Provided*, however, he may, upon petition endorsed and approved by a majority of the aldermen, remit, suspend, or pardon, such offender upon paying or securing the costs. A violation of this section is declared a misdemeanor and indictable as such.

Sec. 25. *Be it further enacted*, That the secretary ^{Salaries.} shall be paid the salary of \$400.00 annually, and the treasurer shall be paid the salary of \$200.00 annually, for their respective services, and shall be paid no other sum on any account or pretext whatever.

Sec. 26. *Be it further enacted*, That the regular and ^{Police powers.} special police are empowered to execute all process is-

sued by the city court, for which cost shall be taxed as in the case of constables, under the laws of the State, and, when collected, shall be paid into the city treasury, and his docket credited accordingly; and policemen shall receive no salary or compensation whatever, other than such as may be fixed by the Board of Mayor and Aldermen; and such salaries shall be paid only by payable warrants ordered by the Board of Mayor and Aldermen; and likewise with regard to the compensation of such other agents as the city may employ. No warrants shall be issued for any cause whatever until first ordered by the Board of Mayor and Aldermen.

Present contracts to stand.

Sec. 27. *Be it further enacted*, That the repeal of the charter of the Mayor and Aldermen of the town of Shelbyville, and the incorporation of the town of Shelbyville, by this charter, shall not annul the present contracts of said town, but the municipality herein chartered shall be substituted and stand in the room and place of the Mayor and Aldermen of the town of Shelbyville in said contracts.

Assessments.

Sec. 28. *Be it further enacted*, That the treasurer shall annually assess all property subject to taxation for corporation purposes, in a book properly prepared, at the rate of taxation fixed by the Mayor and Aldermen, not to exceed one dollar on the one hundred dollars worth of property, for general purposes not to exceed thirty-three and one-third cents on the one hundred dollars, for the purpose of providing the town with water and light; nor to exceed fifteen cents on the one hundred dollars for the purpose of paying the interest on outstanding school bonds and creating a sinking fund with which to pay off said bonds; *Provided*, that the levy of any tax for any of the purposes aforesaid shall at all times be within the discretion of the Mayor and Aldermen, but shall in no event for the purposes as above set out exceed the rates above named; and, *Provided*, further, that the treasurer shall, in the valuation of property for municipal taxation, be bound by the valuation fixed by the county assessor for the purpose of State and county taxation; but the Mayor and Aldermen, or the treasurer elected by them, are authorized and empowered to value and assess for taxation any property which may have been omitted in the State and county assessment.

Streets, etc.

Sec. 29. *Be it further enacted*, That the Board of Mayor and Aldermen of the town of Shelbyville shall have full power and authority to open and extend the streets and alleys for public purposes, and, in addition to the remedies now prescribed by law, the damages sus-

tained by the owners of said property may be assessed by commissioners, two of whom shall be appointed by the Mayor and two by the owner of the property sought to be condemned, and, in the event they cannot agree, said commissioners shall select a fifth man, who, with the others, shall assess the damages.

Sec. 30. *Be it further enacted,* That the office of supervisor and Board of Supervisors of said town, heretofore created by law, is hereby abolished, and all laws and parts of laws providing for the office of supervisor and Board of Supervisors and prescribing the powers and duties of such, in the town of Shelbyville, are hereby repealed.

Board of supervisors abolished.

Sec. 31. *Be it further enacted,* That all laws and parts of laws, heretofore enacted, incorporating the town of Shelbyville, and amendatory thereto, are hereby repealed, and all laws and ordinances heretofore enacted by the the Mayor and Aldermen of Shelbyville, which are in conflict with the provisions of this charter, are likewise repealed, and all laws and ordinances not in conflict with the provisions of this charter are continued in force for a period of three months from the passage of this Act, unless earlier repealed by the Mayor and Aldermen.

Repeal.

Sec. 32. *Be it further enacted,* That the present Board of Mayor and Aldermen of said town are hereby empowered to call and hold an election on the last Saturday of May, 1897, for the election of a Mayor and Aldermen of said town as provided under this Act, and when said Board of Mayor and Aldermen are elected and installed and the secretary and treasurer are elected and the treasurer and secretary make bond, as provided in this charter, the present Board of Mayor and Aldermen and the present Board of Supervisors shall cease to exist as a branch of the city government. The present President of the Board of Supervisors shall deliver to the new secretary, to be elected, all the books, dockets, and papers of his office, likewise the present secretary and financial agent and the present treasurer under the existing charter, shall turn over and deliver to the treasurer, provided for in this Act, all books, papers, records, moneys, and uncollected taxes in their hands, and the respective receipts of the secretary and treasurer, for the same shall fully acquit and discharge them.

Election.

Sec. 33. *Be it further enacted,* That this Act [take]

effect, in accord with its provisions, from and after its passage, the public welfare requiring it.

Passed March 25, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 296.

[HOUSE BILL NO. 713.]

AN ACT to amend an act approved May 10, 1895, being Chapter 127 of the Acts of 1895, entitled "An act for the protection of fish in the State of Tennessee."

Amending fish law. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 127 of the Acts of 1895, entitled, "An Act for the protection of fish in the State of Tennessee," be and is hereby so amended that hereafter it shall be lawful for any resident of Wilson County, Cheatham County, or Trousdale County to catch fish for home consumption in any stream in the county of his residence, by any means except poison and explosives; *Provided*, the owner of the land where fishing is done shall not object.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Returned to the House by the Governor without his signature, more than five days after presentation to him, and allowed to become a law by lapse of time.

REAU E. FOLK,
Clerk of the House.

May 1, 1897.

CHAPTER 297.

[SENATE BILL NO. 555.]

AN ACT to change the line between the tenth and thirteenth districts of Davidson County.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the 10th and 13th districts of Davidson County be so changed as to make the main line of N. and C. and St. Louis railroad the dividing line between the said two districts. Change of line

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1897.

JOSEPH W. BYRNS,
Speaker pro tem. of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR, .
Governor.

CHAPTER 298.

[HOUSE BILL NO. 382.]

AN ACT to authorize Sevier County to issue bonds for the purpose of funding certain interest-bearing county warrants issued in payment for certain bridges erected in said county.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county of Sevier be and the same is hereby authorized and empowered to issue coupon bonds of the county in the sum of nine thousand and five hundred dollars (\$9,500.00), bearing date April 1, 1897, running twenty (20) years from date, with interest from date due and payable annually at the rate of five (5) per centum per annum, both interest and principal to be expressed to be payable at some national bank in the city of New York, for the purpose Power to issue bonds.

of funding four (4) certain interest bearing county warrants, issued by said county, in favor of the Schultz Bridge and Iron Co., for the construction of four (4) bridges within the limits of said county, which warrants, with accrued interest, will amount to a small sum more than the amount above named, the balance to be settled in cash or otherwise as the parties may agree.

Denominations, etc.

Sec. 2. *Be it further enacted,* That said bonds shall be in the denomination each of five hundred dollars (\$500.00), (or such other sum as may be mutually agreed upon) shall be designated and known as Bridge Bonds, and shall be numbered consecutively, beginning with the number 1; each bond shall have attached to it twenty (20) coupons, showing the amount of each annual installment of interest and when the same shall fall due; which coupons shall be numbered consecutively from 1 to 20, both numbers inclusive, and each coupon shall also bear the number of the bond to which it is attached. The several bonds and coupons shall be signed by the chairman of the county and countersigned by the clerk of the county court, and the bonds shall bear the impress of the official seal of said clerk.

Sinking fund.

Sec. 3. *Be it further enacted,* That the quarterly county court of said county is authorized and empowered and directed annually to levy a sinking fund tax sufficient in amount to pay the annual installments of interest on said bonds, as the same shall fall due, and within a convenient time before the said bonds shall fall due said court shall levy a sinking fund tax during one or more years, as the court may think proper, for the purpose of accumulating a fund with which to pay the principal thereof. The proceeds of these sinking fund taxes shall not be diverted to any other purpose whatever.

Record.

Sec. 4. *Be it further enacted,* That the chairman of said county shall keep in a well bound book a record of said bonds and coupons, showing the date, amount, when due, and number of each bond and coupon herein authorized to be issued, to which record the trustee and all persons shall have access at all times.

Tax collector's bond, etc.

Sec. 5. *Be it further enacted,* That the trustee or tax collector shall enter into bond each year, with good and sufficient sureties, in the penalty of approximately double the amount of the levy for sinking fund tax, which bond shall be properly conditioned for the performance of his duties in the collection and disbursement of said taxes, and the same shall be approved and spread on record as other bonds are required to be done. He is authorized and empowered

to collect and disburse said sinking fund tax with the manner and for the purposes herein indicated; and for such his services, he shall receive such compensation as the court may allow him, not exceeding the amount he may be allowed by law for the collection and disbursement of other revenues. Out of the proceeds of said tax he shall pay the coupons and bonds as they severally fall due, and, when paid, he shall take same up and properly cancel them, in ink, showing date, when paid, and when this is done, the same shall be proper vouchers and will be allowed him in his settlements with the chairman. He will settle each year with the chairman on or before June 1, especially as to this tax. Upon such settlement the chairman shall note in his said record, opposite or under each coupon and bond, the fact and date of payment; *Provided*, however, that should the trustee or tax collector fail to make the special bond herein provided for, the sureties on his general revenue bond or bonds shall be liable for this special tax in the same manner as they shall or may be liable on such bond or bonds for other revenues.

Sec. 6. *Be it further enacted*, That said bonds shall be payable to bearer or to the order of the Schultz Bridge and Iron Co., as may be agreed on, and the coupons shall be payable to bearer. To whom payable.

Sec. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 299.

[HOUSE BILL NO. 736.]

AN ACT for the protection of fish in Haywood, Rutherford and Hardeman Counties, Tennessee.

Fish law.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be unlawful for any person or persons to catch, kill, or wound any fish in any of the streams, lakes, rivers, or ponds in Haywood, Rutherford, and Hardeman Counties, Tennessee, by seine, trap, net, gun, grabbling with hands, gig, poison, dynamite, or in any way or by any contrivance or device whatever, except by rod or line or trot line; *Provided*, first, the provisions of this section shall not apply to private ponds; and, second, to minnows not exceeding four and one-half inches in length, which may be caught exclusively for bait, by dip net, not to exceed twelve feet in length.

Dams, etc., prohibited.

Sec. 2. *Be it further enacted,* That it shall be unlawful for any person, company, or corporation to build any dam or obstruction across any of the streams in Haywood, Rutherford, and Hardeman Counties, Tennessee, or any fish gate or trap for purpose of corralling or catching fish.

Penalty.

Sec. 3. *Be it further enacted,* That any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and fined not less than \$50.00 nor more than \$100.00, and imprisonment in county jail not over ten days, in the discretion of the court trying the case, except that in case of wounding or destroying fish by means of poison or dynamite or any other explosive whatever, the person or persons found guilty of same shall be deemed guilty of a misdemeanor and imprisoned not less than six (6) months in county jail.

Fines.

Sec. 4. *Be it further enacted,* That all fines recovered under this Act shall be paid into the county treasury for the benefit of the common school fund.

Sec. 5. *Be it further enacted,* That this Act shall be given in charge by the judge of the circuit and criminal courts, to the grand juries of each term of court and that the grand juries shall have inquisitorial power to send for witnesses and make presentments for violation of this Act without prosecution, and that this Act take effect from and after its passage, the public welfare requiring it.

Sec. 6. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Sec. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 300.

[HOUSE BILL NO. 549.]

AN ACT to allow an additional justice of the peace in the Seventh Civil District of Tipton County, Tennessee, for the town of Brighton.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the seventh civil district of Tipton County be and the same is hereby allowed an additional justice of the peace, who shall reside and keep his office in the town of Brighton in said district, with jurisdiction and powers of like offices in said State.

Section 2. *Be it further enacted*, That said justice of the peace shall be elected by the qualified voters of said district upon notice as now required by law.

Section 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1897.

JOSEPH W. BYRNS,
Speaker pro tem. of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 301.

[SENATE BILL NO. 530.]

AN ACT to transfer title from trustee of Old Male Academy and lot, in Brownsville, Tennessee, and to vest same in the Board of Public School Directors of said town, and to authorize and empower said board to sell or exchange said property, and to use the proceeds for public school purposes.

Transfer of
title to school
directors of
Brownsville.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the right and title to a certain lot or parcel of land, situate, lying and being within the corporate limits of the town of Brownsville, Tennessee, and known as the Brownsville Public School Buildings and Grounds, and more particularly described as follows: Beginning at the southwest corner of 43 $\frac{1}{4}$ -acre tract, owned in 1867 by D. B. Gibbs; runs thence east 12 poles to a stake; thence north 20 poles to a stake; thence west 12 poles to a stake, in the east margin of the Johnson road; thence north, with the margin of Johnson road; thence north, with the margin of said road, 20 poles to the beginning, containing 1 $\frac{1}{4}$ acres of land, be and the same is hereby transferred from the trustees of the Old Male Academy, of Brownsville, Tennessee, to and vested in the school directors and their successors in office of the town of Brownsville school district to have and to hold for school purposes.

Directors au-
thorized to
sell.

Sec. 2. *Be it further enacted,* That the Board of Directors of said district be and they are hereby authorized and empowered to sell or exchange, transfer and convey the said grounds and buildings in any way or manner that they may deem best for the interest of said public schools and they are authorized to make deed and to convey title to same in fee simple, and the proceeds to be used in buying or securing another lot or tract of land or employed in the erecting of a building for public school purposes or otherwise, as they may deem best for the interest of the public schools of said town.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 9, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 10, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 302.

[SENATE BILL NO. 98.]

AN ACT to amend Section 2 of the act approved January 24, 1895, entitled "An act to incorporate the town of Binghamton in Shelby County Tennessee," being Chapter 4 of the Acts of 1895, by fixing the date for holding all municipal elections to be held in said town.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 2 of the Act of January 24, 1895, entitled, "An Act to incorporate the town of Binghamton, Shelby County, Tennessee," being Chapter 4 of the Acts of 1895, be and the same is hereby so amended so that the next election of municipal officers, provided for in said Section 2, shall be held on the first Thursday after the first Monday in January, 1898, and each succeeding two years thereafter.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 5, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 303.

[HOUSE BILL NO. 653.]

AN ACT to amend Section 2221 of M. & V. compilation of laws of Tennessee, by extending the time for the protection of certain game from March 1 to November 1, instead of from April 1 to October 1, as to Fayette County, as now provided by law.

Amending
game law.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 2221 of M. and V. Compilation of laws of Tennessee be so amended as to make the time in which it shall be unlawful for any one to shoot, kill, or destroy quail or partridges in Fayette County from March 1 to November 1, instead of from April 1 to October 1, as provided in said section.

Sec. 2. *Be it further enacted,* That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 304.

[SENATE BILL NO. 172.]

AN ACT to amend the charter of Morristown, and to amend Chapter 19 of the Acts of 1867-68, passed November 21, 1867, and entitled "An act to reduce the several acts incorporating the town of Morristown to one act, and to amend the same;" and to amend Chapter 12 of the Acts of the Second Session of the Forty-sixth General Assembly of the State of Tennessee, passed March 6, 1890, approved March 10, 1890.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 3, Chapter 14, Acts of extra session 1890, passed March 6, 1890, approved March 10, 1890, and sub-Section 1 of Section 6 of Chapter 19 of the Acts of 1867-68, passed November 21, 1867, said Act of 1890, being entitled, "An Act to amend Chapter 19 of the Acts of 1867-68, passed November 21, 1867," and entitled, "An Act to reduce the several Acts, incorporating the town of Morristown, in one Act, and to amend the same," be so amended as that the Mayor and Aldermen of the town of Morristown shall have power within the corporation to levy, assess, and collect taxes for municipal purposes upon all property taxable by law for State purposes, and that hereafter, and including the year 1897, said assessments may be made by such corporation assessors elected or appointed by said Mayor and Aldermen, or by the adoption of assessments made for the current or preceding year, by State and county assessors for Hamblen County or by modifications of the same; and the collection of such taxes may be made by corporation collectors who may be elected or appointed by said Mayor and Aldermen, or by the county trustee and tax collectors of said county, as may be provided by ordinance of said Mayor and Aldermen.

Sec. 2. *Be it further enacted,* That said Mayor and ^{Tax levy.} Aldermen are hereby empowered to fix, by ordinance, the time when taxes for municipal purposes shall be levied and assessed, when same shall be due and payable, the manner in which same shall be assessed and collected, and provide for interest and penalties on same for non-payment when due.

Sec. 3. *Be it further enacted,* That all the ordinances ^{Ordinances binding until changed.} of said Mayor and Aldermen, heretofore passed and now in existence, providing for the levying, assessing, and collecting of taxes, for municipal purposes, providing

for the time same shall become due and payable, and fixing penalties for the non-payment of same when due, be and the same are hereby legalized and declared to be valid and binding until modified, changed or repealed by said Mayor and Aldermen.

Pavements,
etc.

Sec. 4. *Be it further enacted*, That in addition to the power granted said Mayor and Aldermen by sub-Section 7 of Section 6 of said Act of 1867-68, said Mayor and Aldermen are hereby empowered, by ordinance, to compel owners of real estate fronting on, contiguous to, or bounded by any street or streets of said town, to lay, and when lain to keep in repair, and repair pavements already lain along such street or streets so as to establish, maintain, and keep in repair side walks or pavements along the streets of said town.

Cost of repairs
a lien.

Sec. 5. *Be it further enacted*, That upon the failure of any such property holder, as is designated or contemplated in the foregoing section, to comply with such ordinance or ordinances as said Mayor and Aldermen are empowered to pass under same, said Mayor and Aldermen may, by ordinance, provide for notice to be given such real estate or property owner requiring such side walks or pavements to be lain or repaired, within such time as may be prescribed by ordinance, and if such property owner or holder fails to comply with same within the time prescribed by ordinance and notice, then said Mayor and Aldermen may lay or cause to be lain, repair or cause to be repaired such pavement or side walk, and charge the expense of same to such property owner or holder, which shall be a lien upon such property, which may be enforced as may be provided by ordinance, and notice to the occupant of such property, or to any agent having control of same shall be deemed sufficient notice to such property owner or holder.

Sec. 6. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Sec. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 305.

[SENATE BILL NO. 312.]

AN ACT to authorize Anderson County to fund its outstanding indebtedness, and to provide for the payment of the same.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county court of Anderson County, through its quarterly session, be and it is hereby authorized and empowered to submit to the qualified voters, at a time to be fixed by said quarterly court of said county, the question of issuing bonds for the purpose of funding its outstanding indebtedness, and if a majority of the electors voting at said election shall vote in favor of the issuing of said bonds, then the said county court at its quarterly session is hereby authorized and empowered to fund its outstanding indebtedness, and issue coupon bonds of said county for and in settlement of the same as follows:

Power to issue bonds to fund indebtedness.

1. All interest bearing county warrants of said county warrants, issued for bridge, poor-farm, and other purposes, which may be outstanding on the 1st day of April 1897.

2. All non-interest bearing county warrants outstanding on said date upon which judgment may be had against the county, and also all judgments that shall have been entered against said county on April 1, 1897.

Sec. 2. *Be it further enacted,* That the bonds herein provided for shall bear interest at the rate of 6 per cent. per annum, said interest payable annually, and said bonds shall be payable in twenty years from the date thereof, but may be redeemed at any time after ten years by order of said quarterly court; and there shall be attached to each of said bonds coupons for each installment of interest thereon, maturing at the proper date, and bearing the number of the bonds to which it is attached.

When payable, interest, etc.

Sec. 3. *Be it further enacted,* That each of said bonds shall be signed by the chairman of the county court, and countersigned by the county court clerk, with his official seal affixed thereto, and the coupons attached to each bond shall be signed by said chairman and clerk without the clerk's official seal, and the signature to the coupons may be lithographed. Said

Denominations, etc.

bonds may be in the denominations of twenty-five, fifty, and one hundred dollars, and the bonds of each denomination shall be numbered in the order of their issuance, beginning with one, and this Act may be printed on the books of said bonds.

**Not to be sold
at less than
par.**

Sec. 4. *Be it further enacted,* That said bonds shall not be sold below par, and if the quarterly court shall so order, any holder of any of said outstanding indebtedness, may, on presentation of the same to the chairman and clerk in amounts corresponding with the denomination of any of the said bonds issued under this Act, receive one or more of said bonds therefor, but no accrued interest shall be funded under this Act.

Sinking fund.

Sec. 5. *Be it further enacted,* That it shall be the duty of the quarterly court of said county annually to levy a tax on the taxable property and polls of said county, and on privileges for the purpose of paying the annual interest on said bonds, and also for the purpose of creating a sinking fund for the redemption of said bonds, and the chairman shall keep in a well bound book a record of the number and denomination of all bonds issued, and also of all bonds redeemed or paid.

**Trustees to
collect, etc.**

Sec. 6. *Be it further enacted,* That the trustee shall collect and account for the tax herein authorized the same as he is required by law to collect and account for other taxes, and shall receive the same compensation as for collecting other county taxes, and shall be liable on his official bond for the same; but the county court may, when it thinks proper, require the trustee to give additional bond, for the performance of his duties and collecting and accounting for said fund, and said sinking fund may be invested, by the trustee, in such manner as he may be directed by the quarterly county court.

**How redeem-
able.**

Sec. 7. *Be it further enacted,* That before the expiration of ten years from the issuance of said bonds, the trustee may redeem any of said bonds presented for redemption out of any moneys that may be in his hands derived from said sinking fund tax, or may receive said bonds in payment of said sinking fund tax; and after the expiration of said ten years it shall be the duty of the trustee to call for such an amount of said bonds as the sinking fund in his hands will redeem, calling for them by numbers, commencing with the lowest number, and redeeming them in the order in which they were issued of such as are outstanding, and for this purpose he shall have access to the chairman's book in which said bonds are numbered.

Sec. 8. *Be it further enacted*, That the call, as provided in Section 7 of this Act, shall be made on the order of the chairman of the county court by public advertisement, posted at the court house door of said county for thirty days, or by publishing the same in any newspaper published in said county, setting out the number and denomination of said bonds so called for; and such bonds not being presented for payment at the expiration of the said thirty days, the interest thereon shall cease from that date, and the coupons not due thereon shall not thereafter be paid, but shall become void; and should the bonds so called for be withheld, then shall the trustee in like manner call for other bonds in regular order, until the amount required be presented for redemption, and when any such bonds are redeemed, as herein set out, the trustee shall, upon settlement with the chairman of the county court, have credit therefor on account of sinking fund tax; and after they have been entered on the chairman's book, as aforesaid, said bonds shall be defaced by stamping or writing across the face of the same the date when they were accounted for on settlement and the same filed away with the coupons thereon, and theretofore redeemed, as part of the records of the chairman's office.

Sec. 9. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 306.

[HOUSE BILL NO. 542.]

AN ACT to change the line between White and Putnam counties.

Change of line Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of White and Putnam be changed so as to include the following land of D. S. Officer in White County, to-wit: Beginning on a stake in the county line, running east $25\frac{1}{2}$ poles to a stake in R. Robinson's line; thence 3° west, with his line, 204 poles to a rock corner; thence north 87° , west, with Johnson's line, 286 poles to a small chestnut; thence south 3° , west, with E. Little's line, 58 poles to the county line, and so as to include all the following boundary of land of J. H. Hale, in Putnam County, to-wit: Beginning on a hickory near where J. H. Hale now lives, thence west 134 poles to a sugar tree; thence south 52 poles in the middle of the road; then south, meandering with the road, 75 poles to a rock in the forks of two roads; thence northeast up the road 50 poles to a rock in the middle of the road; thence northeast up mountain conditional line agreed on between John H. Robinson and J. H. Hale, 43 poles to a chestnut and hickory pointers; thence 40 poles to the beginning.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 307.

[HOUSE BILL NO. 723.]

AN ACT to amend Sections 1 and 50 of an act entitled "An act to reduce the acts incorporating the city of Bristol, and the various amendments thereto, to one act, and amend the same, and to reduce and define the limits thereof," passed March 12, 1897, and approved March 16, 1897.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the first part of Section 1 of an Act, passed March 12, 1897, and approved March 16, 1897, entitled, "An Act to reduce the Acts incorporating the city of Bristol and the various amendments thereto to one Act, and amend the same, and to reduce and define the limits thereof," beginning with the words, "That the Act incorporating the city of Bristol," and ending with the words, "Within the boundaries herein set out, viz," be and the same is hereby amended so as to read, "That the Act incorporating the city of Bristol, in Sullivan County, Tennessee, entitled, 'An Act to amend the charter of Nashville, and to amend the 11th section of the Acts of 1851, Chapter 13, entitled, An Act to incorporate the city of Chattanooga, and for other purposes, passed the 11th of November, 1851; and to incorporate the town of Bristol in Sullivan County,'" the same being Chapter 119 of the Acts of 1855-56, which was amended by the Acts of 1857-58, Chapter 40, Sections 37 to 40 inclusive, by the Act of 1881, passed April 1, 1881, and approved April 5, 1881, and again amended by an Act, passed March 26, 1891, and approved March 28, 1891, Chapter 192 of the Acts of 1891, and also amended by the Act approved April 6, 1893, Chapter 143 of the Acts of 1893, be and the same are hereby reduced to one Act, and amended so as to read as follows: The inhabitants of the city of Bristol, in Sullivan County, Tennessee, within the boundaries herein set out, viz."

Amending incorporating
act of Bristol.

Sec. 2. *Be it further enacted,* That Section 50 of said Act, passed March 12, 1897, and approved March 16, 1897, be and the same is hereby amended so that the sentence in the latter part of said section after the word "Mayor" which reads as follows: "He shall hold the city court and try all offenses against the city resolutions," so that said sentence shall read, "He shall hold the city court and try all offenses against the city ordinances."

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 1, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 308.

[SENATE BILL NO. 324.]

AN ACT to amend the charter of the town of Fayetteville ; to amend an act passed October 23, 1819, incorporating the town of Washington, and for other purposes ; to amend an act to establish a recorder's court in the towns of Shelbyville, Murfreesboro, Franklin, Tullahoma, Winchester and Manchester, and for other purposes, passed December 12, 1865 ; to amend an act to extend the limits of the town of Fayetteville, passed March 24, 1877 ; to elect the mayor of said town by the qualified voters thereof ; to decrease the number of aldermen of said town to six ; to authorize and empower the mayor and aldermen to buy, lease or establish water-works and a lighting plant, to furnish said town with water and to light the streets thereof, and to furnish the inhabitants thereof with water and light, and to issue bonds of said town and to provide for the payment of the same.

Mayor. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That at the expiration of the present term of office of the present Board of Mayor and Aldermen, and forever thereafter, the Mayor of said town shall be elected by the qualified voters thereof at the same time that the aldermen of said town are elected, and shall hold his office for the term of two years, and until his successor is elected and qualified

Sec. 2. *Be it further enacted*, That at the expiration of the term of office of the present Board of Mayor and Aldermen of said town, the number of aldermen of said town shall consist of six members instead of seven members as heretofore.

Sec. 3. *Be it further enacted*, That at the next regular election for aldermen, and at every election for aldermen thereafter, there shall be elected, by the qualified voters of said town, six Aldermen and a Mayor. The person receiving the highest number of votes for Mayor shall be Mayor, for the next ensuing two years, unless two or more persons, having received the highest number, shall have received the same number of legal votes. In such case the aldermen elected at the same election shall choose the Mayor from these persons having at said election received the same number of votes for Mayor. If there should be a tie on the votes cast between two or more persons voted for aldermen, who being among the six persons receiving the highest number of votes cast, the remaining number (among whom there is no tie) of the Board of Mayor and Aldermen-elect shall, by a majority vote at their first meeting, decide between such persons having a tie vote who shall be aldermen.

Sec. 4. *Be it further enacted*, That the Mayor and Aldermen elected as herein provided, before entering upon their duties, shall take an oath that they will honestly and faithfully discharge the duties of their offices without partiality, favor, or affection.

Sec. 5. *Be it further enacted*, That said Mayor and Board of Aldermen, shall on the first Monday after their election qualify and organize, and shall hold their respective offices for a term of two years and until their successors shall have been elected and qualified. Any vacancy occurring either of Mayor or Aldermen, whether by death, resignation, or removal, shall be filled by the remaining members of the board; but no person shall be eligible for the office of Mayor or Aldermen unless he be a citizen and qualified voter of said town of Fayetteville.

Sec. 6. *Be it further enacted*, That in all cases of a tie vote, in the transaction of business by the Board of Aldermen, the Mayor shall cast the deciding vote; but no ordinance, by-law, or measure shall be passed, or person elected to any office by said Board of Mayor and Aldermen of said town, unless the same shall have received at least four votes, and with this qualification, four of the aldermen elected and qualified, as aforesaid,

may constitute a quorum for the transaction of all business.

Water-works,
etc.

Sec. 7. *Be it further enacted*, That the Board of Mayor and Aldermen of said town of Fayetteville are hereby authorized and empowered to lease, buy, build, construct, or establish water works, reservoirs, hydrants, pumps, cisterns, and pipes, for the use of said town, and to supply and furnish the inhabitants thereof with water, and to keep the same in repair, and to effectuate this power and authority, the Mayor and Aldermen of the said town of Fayetteville, in Lincoln County, Tennessee, be and they are hereby authorized and empowered to issue coupon bonds of said town to an amount not exceeding thirty thousand dollars, for the purposes aforesaid; said bonds to be issued in the manner and under the restrictions herein set out and provided.

Bonds.

Sec. 8. *Be it further enacted*, That the Mayor and Aldermen of said town of Fayetteville be and they are hereby authorized and empowered to issue coupon bonds of said town to an amount not exceeding twelve thousand dollars for the purpose of buying or building a lighting plant in said town, to light the streets thereof, and supply the inhabitants thereof with light, either with gas or electric lights; said bonds to be issued in the manner and under the restrictions herein set out and provided.

Denomina-
tions, inter-
est, etc.

Sec. 9. *Be it further enacted*, That all bonds that may be issued under the authority of this Act shall be of such denominations, bear such interest not exceeding six per cent. per annum, and be due in such time not less than fifteen nor more than twenty-five years from this date, and be issued for such amounts, not exceeding the amounts herein authorized, as the corporate authorities of said town may determine, but all bonds issued to provide water and water works for said town shall all bear the same date and the same rate of interest, and become due and payable at the same time, and shall be redeemable at the pleasure of the corporation authorities of said town, after ten years from their date, and the same provisions shall apply to any series of bonds that may be issued hereunder for the purpose of supplying light or procuring a lighting plant for said town.

Not to be sold
for less than
par.

Sec. 10. *Be it further enacted*, That the bonds provided for in this Act shall in no case be sold for less than par, and the coupons attached shall at maturity be receivable for all taxes and dues to the corporation,

except the "Sinking Fund Tax," to pay off the bonds that may be issued by the authority of this Act.

Sec. 11. *Be it further enacted,* That before the issuance of any bonds hereunder, the Board of Mayor and Aldermen of said town shall provide, by ordinance, for a sinking fund with which to retire said bonds at maturity, and pay interest on same annually, by levying a special tax to be designated, "The Sinking Fund Tax," to be collected annually, and used exclusively for the purposes for which it was levied, and to be sufficient with its accretions, as nearly as can be estimated, to meet the principal of said bonds at maturity, and pay the interest annually.

Sec. 12. *Be it further enacted,* That before issuing any bonds under this Act the Mayor and Aldermen shall, by ordinance, provide for the appointment or election, and shall appoint and elect three discreet citizens of said town, not members of the Board of Mayor and Aldermen, to be known and designated as the "Sinking Fund Commissioners," who shall hold their offices for such term, execute such bonds, and receive such compensation as may be prescribed by said ordinance; and said commissioners shall take an oath before some person authorized to administer oaths faithfully to perform their duties.

Sec. 13. *Be it further enacted,* That said Sinking Fund Commissioners shall receive the sinking fund tax herein provided for from the collector of taxes for said town, and may invest the same from time to time, or buy in for said town any of the outstanding bonds if they can be purchased for a price not exceeding the par value thereof, and make settlement of their accounts in such manner, at such times, and with such persons as the said Mayor and Aldermen may by ordinance direct or provide.

Sec. 14. *Be it further enacted,* That the bonds herein authorized, for the purpose of supplying the said town with water and water works, and for supplying the said town with light and lighting plant respectively, may be issued for any and all the purposes incident thereto, and, that may be necessary in the proper construction of said plants respectively; *Provided,* the respective issues of said bonds do not exceed the sum herein authorized.

Sec. 15. *Be it further enacted,* That when said bonds are issued, as provided herein, they shall become and be valid and binding indebtedness of said town and corporation; and said Mayor and Aldermen are hereby authorized and empowered to levy and collect annu-

Sinking fund.

Sinking fund
commissioners.

Duties of com-
missioners.

Purposes of
bond issue.
etc.

ally, beginning with the year next succeeding the year in which said bonds are issued, the years to be from January to January, and continue to thus levy and collect annually, while said bonds are outstanding, a special tax, not exceeding the rate of three mills on the dollar on the assessed value of all the taxable property, taxable for corporation purposes by law, for the purpose of providing a sinking fund to retire the bonds that may be issued hereunder to provide water works and water for said town, and pay the interest thereon, as herein provided, when due; and may likewise levy and collect a special tax, not exceeding the rate of one mill on the dollar for the purpose of providing a sinking fund to retire the bonds that may be issued hereunder, to supply and provide light and lighting plant for said town, and to pay the annual interest thereon, as herein provided, when due. That Section 21, Chapter 92, Acts of 1875, being Section 1620 of Milliken & Vertrees' Code of Tennessee, be and the same are hereby so amended as to authorize and empower the Board of Mayor and Aldermen of said town of Fayetteville to levy and collect the special taxes herein provided for in addition to all other taxes now authorized by law to be levied by said corporation; *Provided*, that the property situated within the limits of the territory brought within the limits of the corporation of said town by Chapter 125 of the Acts of 1877, entitled, An Act to extend the corporate limits of the town of Fayetteville, shall not be subject to corporation taxes, unless the same is or may hereafter be laid off and divided into town lots.

Election.

Sec. 16. *Be it further enacted*, That before any bonds shall be issued under the provisions of this Act, the proposition for their issuance shall be submitted to a vote of the qualified voters of said town of Fayetteville, at a special election held for that purpose only; and if four-fifths of the votes cast at such election shall be in favor of the proposition to issue such bonds: said bonds shall be issued to the amount stated in the proposition submitted to a vote at said special election: but the proposition to issue bonds for water works and to supply said town with water, and the proposition to issue bonds for a lighting plant and to furnish light for said town, shall not be submitted to a vote at the same time, but the election on each proposition shall be held separately and on different days. But before submitting either of said propositions to a vote at the election herein provided for, the Board of Mayor and Aldermen of said town shall, by ordinance or resolu-

tion, duly passed and recorded upon the minutes or records of said board, provide for holding said special election. Said ordinance or resolution shall state the amount of bonds proposed to be issued, for what purpose, and the day the special election is to be held. Said ordinance or resolution and a notice of said special election shall be published in a newspaper published in said town of Fayetteville, for four consecutive weeks preceding the day of said election. When a proposition to issue bonds for water works and to supply said town with water is submitted to a voter as herein provided, the qualified voters favoring the proposition submitted shall have written or printed upon their ballots the words, "For Water Works Bonds," and the qualified voters opposed to the proposition submitted shall have written or printed upon their ballots, "Against Water Works Bonds." When a proposition to issue bonds for a lighting plant and to furnish light for said town is submitted to a vote, as herein provided, the qualified voters favoring the proposition submitted shall have written or printed on their ballots the words, "For Light Bonds," and the qualified voters opposed to the proposition submitted shall have written or printed on their ballots, "Against Light Bonds." The sheriff of Lincoln County, in person or by his deputy, shall hold the special elections herein provided for, and shall make return thereof, and certify the result in duplicate, one to be delivered to the Mayor of said town, and to be copied upon the minutes of the Board of Mayor and Aldermen at their next meeting, the other to be delivered to the clerk of the county court of Lincoln County, to be by him filed and preserved in his office.

Sec. 17. *Be it further enacted*, That should the proposition to issue bonds for either of the purposes herein provided for be defeated at a special election, that shall not preclude the submission of the same or a modification of the same proposition to other elections, but not more than one election for the issuance of either water works bonds or bonds for lighting purposes shall be held during the same year.

Sec. 18. *Be it further enacted*, That when said bonds, for either of the purposes herein provided for, are issued, and said water works plant and lighting plant shall be built, under the direction of the Mayor and Aldermen of said town of Fayetteville, and they may employ such experts, architects, mechanics, and builders, and appoint such committees and agents to superintend the building of same, use such material and do

May hold other elections.

Board may employ experts, etc.

and perform such acts, with reference to the building, construction, and extension of the same, as they shall deem best for the purposes herein provided for; they shall determine the kind of plant or plants they will build, the capacity of the same, the cost thereof, but not to exceed the amount or amounts herein respectively provided, and pay for the same with the proceeds of said bonds.

Sec. 19. *Be it further enacted*, That all Acts and parts of Acts in conflict with this Act be and the same are hereby repealed.

Passed March 24, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 26, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 309.

[SENATE BILL No. 466.]

AN ACT to authorize and direct the sale of a part of the school lands of the Forty-second School District of Hickman County, Tenn., and to disburse the proceeds thereof.

Authority to
to sell school
property.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the directors of the forty-second school district, of Hickman County, Tennessee, composed of the following named persons, viz.: D. L. Johnston, J. C. Rodgers, and J. D. Cooper, or their successors in office, be and they are hereby directed to sell in such manner and on such terms as they may think best, the remainder of the land owned by said school district, after laying off and reserving a lot sufficient for school yard and premises. Said land owned by said school district is situated on the east side of Big Swan creek, in the twelfth civil district of Hickman County, Tennessee, and bounded and de-

scribed as follows, to-wit: Beginning on a beech and poplar near the foot of the hill, and runs south 66° , east 13 poles to a stake, with sugar tree and beech pointer; south 24° , west 3 poles to a stake over the spring; south 66° , east 32 poles to a crooked beech on the side of a hill; north 24° , east 36 7-10 poles to a stake with white oak and dogwood pointers; north 66° , west 45 poles to a stake with a chestnut pointer; south 24° , west 33 7-10 poles to the beginning; containing ten (10) acres, conveyed to said school district by George Perry, by deed executed March 4, 1850, and recorded in the register's office of Hickman County, Tennessee, in Book N, page 10.

Sec. 2. *Be it further enacted*, That out of the proceeds, how applied. of the sale of said land, said directors will pay off all debts and liens existing on the school building, heretofore erected, and will complete and furnish the same, and the balance the said directors will pay over to the county trustee of Hickman County for the benefit of the said free school district of said county in which said land is situated.

Sec. 3. *Be it further enacted*, That a majority of the quorum. said directors of said school district shall constitute a quorum for the purpose of carrying out the provisions of this Act, and that they, the said directors so acting, shall render an account of all money received and disbursed, with proper vouchers, to the County Superintendent of Public Instruction for Hickman County, Tennessee.

Sec. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 7, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 310.

[HOUSE BILL NO. 482.]

AN ACT to amend Chapter 97 of the Acts of 1895, so as to change the time of holding the circuit and chancery courts of Van Buren County.

Amendment. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 97 of the Acts of 1895, entitled, "An Act to change the time of holding the circuit courts of Coffee, Warren, DeKalb, Grundy, and Van Buren Counties, and also change the time of holding the chancery court of Van Buren County, and to repeal the following statutes, viz.: Acts of 1887, Chapter 8; Acts of 1891, Chapter 34, 156, and 208, and all other laws in conflict with this Act," be so amended as to change and fix the time of holding the circuit and chancery courts of Van Buren County, so as that same are to be hereafter held on the first Tuesday after the fourth Monday in April and October of each year.

Sec. 2. *Be it further enacted,* That this Act take effect from and after the first day of May, 1897, the public welfare requiring it.

Passed April 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 311.

[HOUSE BILL NO. 431.]

AN ACT to amend Section 64 of Chapter 8 of Acts of Tennessee of the extraordinary session of 1885, entitled "An act to reduce the acts incorporating the city of Knoxville, and the various amendments thereto, to one act, and to amend the same," so as to make females eligible to positions on the Board of Education of said city.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 64 of Chapter 8 of the Acts of the extraordinary session of the General Assembly of Tennessee for 1885, be so amended as to strike from said section after the word "citizen" in second and third line before "of" in third line, the words "and qualified voters."

Sec. 2. *Be it further enacted,* That any female above the age of 21 years, who has been a bona fide resident of the city of Knoxville for a period of one year, shall be eligible to election and service on the Board of Education of the city of Knoxville, Tennessee.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 312.

[HOUSE BILL No. 527.]

AN ACT to change the line between the counties of Grundy and Marion, at Monteagle, so as to make the present railroad the line from the old depot westerly to where the present county line crosses at the water tank.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between Marion and Grundy Counties, at Monteagle be changed so as to make the present railroad the line from the old depot in a westerly direction to where the present county line crosses said railroad at the water tank.

Sec. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 313.

[SENATE BILL NO. 79.]

AN ACT to enable the Mayor and Aldermen of the town of Union City, Tenn., to issue bonds for the purpose of buying a tract of land and laying out and establishing a city cemetery for said town, and to confer on them power and authority to pass ordinances for its maintenance, supervision and control in accordance with the laws of the State granting powers to provide corporations for cemetery purposes.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of the town of Union City, in Obion County, Tennessee, be and they are hereby authorized and empowered to issue negotiable, interest bearing coupon bonds to the amount of five thousand dollars, or so much thereof as may be necessary, the proceeds of which shall be used exclusively for the purpose of buying a tract or parcel of land in some convenient place and laying out and subdividing the same into suitable lots and providing approaches thereto, to be forever used for cemetery or burial grounds; which bonds shall be signed by the Mayor and countersigned by the recorder of said town, with the seal of the corporation attached.

Sec. 2. *Be it further enacted,* That said bonds may be issued in such denominations as the Mayor and Aldermen shall fix, and shall be payable at such times from three to fifteen years, as may be fixed by ordinance, and bear interest at such rate as the Mayor and Aldermen shall fix, but not to exceed six per cent. per annum, payable semi-annually, to be evidenced by coupons attached to each of said bonds; but said bonds shall not be sold or otherwise disposed of for less than their face value.

Sec. 3. *Be it further enacted,* That before said bonds shall be issued the Mayor and Aldermen of said town shall, by ordinance, appoint a suitable time at which an election shall be held, and they shall direct the city marshal to publish a notice for not less than twenty days, giving the time, place, and the purpose of said election, and that on the day and at the place designated in said notice he shall open the polls and hold an election to ascertain the will of the people of said town as to the issuance of said bonds, and he shall make

Authority to
issue bonds
for cemetery.

Denomina-
tions, etc.

Election and
qualification
of voters.

his return to the Mayor and Aldermen who shall canvass the vote and declare the result; and all persons that would be eligible to vote for Mayor and Aldermen on that day shall be eligible to vote in said election; and all those who favor the issuance of said bonds shall have written or printed on their ballots the words, "For Bonds," and all those who are opposed to the issuance of said bonds shall have written or printed on their ballots the words, "Against Bonds;" and if a majority of all the votes cast in said election shall be "for bonds," the result shall be declared in favor of issuing said bonds; but if a majority of all the votes cast in said election shall be "against bonds," then the result shall be declared against the issuance of said bonds.

**Special tax to
be levied.**

Sec. 4. *Be it further enacted,* That upon the issuance of said bonds, in conformity with the foregoing sections, they shall be a valid and binding debt and obligation upon the corporation of Union City, and the Mayor and Aldermen of said town are hereby authorized and empowered to levy and collect annually a special tax, not to exceed the rate of ten cents on the one hundred dollars of the assessed value of the taxable property within the corporate limits of said town, for the purpose of paying the interest on said bonds as it becomes due, and for paying the expense of keeping said cemetery grounds in good condition, and to create a fund with which to pay off and retire the bonds herein authorized to be issued.

**Title and reg-
ulations.**

Sec. 5. *Be it further enacted,* That the title to the land purchased under the provisions of this Act shall be made to the Mayor and Aldermen of Union City and their successors in office, and shall be forever held by them for cemetery purposes whenever needed, and they shall have power to lay off the same or such part of it as may be necessary from time to time into suitable avenues and walks, and subdivided into lots suitable for graves, vaults, and monuments, and embellish the same with trees, shrubs, and flowers, and to sell said lots in such manner as the Mayor and Aldermen may determine, and make to the purchasers deeds to the lots sold, and all lots thus sold shall be free to the purchasers from the levy of attachment or execution.

Bequests.

Sec. 6. *Be it further enacted,* That the Mayor and Aldermen of said town of Union City may accept and hold any grant or bequest in money or other property, and shall faithfully apply the same for the improvement of said cemetery on the erection or preservation of any tomb or monument according to the term of said grant or bequest.

Sec. 7. *Be it further enacted*, That the Mayor and Aldermen of Union City shall have and exercise jurisdiction over said cemetery grounds, and they are hereby authorized and empowered to enact any and all ordinances necessary for the management and control of the same, and for the punishment of any person who shall wilfully injure, deface, or destroy any tomb, grave stone, monument, or other structure placed in said cemetery, or any fence or inclosure in or around the same, or injure any tree, plant, or shrub therein, or hunt or shoot therein, play at any game or amusement therein, or interfere by words or actions with any funeral procession or burial or religious exercises. These and such other offenses as are prohibited by the laws of the State may, by said Mayor and Aldermen, be declared by ordinances to be misdemeanors, and the punishment for which may be fixed by ordinance, not to exceed fifty dollars, to be collected in same manner that other fines for offenses in the city limits are collected.

Sec. 8. *Be it further enacted*, That the city marshal and other police officers of said town of Union City shall have jurisdiction in said cemetery grounds, and the Mayor and Aldermen may confer police authority upon the sexton of said cemetery or other suitable person to arrest with or without warrant [as] they would have the right to do inside the city limits, and bring to trial all persons committing any offense in said cemetery grounds.

Sec. 9. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

Jurisdiction of
mayor and
aldermen.

CHAPTER 314.

[SENATE BILL NO. 396.]

AN ACT to exempt Bedford and Marshall counties from the operation of Section 1, Chapter 127, of the Acts of 1895.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the counties of Bedford and Marshall be and the same are exempted from the operation of Section 1, Chapter 127 of the Acts of the General Assembly of 1895, except so far as said Act prohibits the catching, killing, or wounding of fish by the use of poison or dynamite.

Sec. 2. *Be it further enacted,* That all Acts in conflict with this Act be and the same are hereby repealed.

Sec. 3. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 315.

[HOUSE BILL NO. 471.]

AN ACT to incorporate the town of Kingston, in Roane County, heretofore incorporated under the general laws of the State, and to establish and maintain a separate school district in said town.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the town of Kingston, in Roane County, Tennessee, and the inhabitants thereof, be and the same are hereby constituted a body politic and corporate under and by the name and style of the City of Kingston, and shall have perpetual succession; that by this corporate name and style may sue and be sued, plead and be impleaded, contract and be contracted with, grant, receive, purchase, and hold real, personal, and mixed property, and dispose of the same for the benefit of said town and may have a corporate seal.

Sec. 2. *Be it further enacted,* That the boundaries of said town hereby incorporated shall be as follows, to-wit: Beginning near the southwest corner of the lot known as the French Burnette lot, in the first civil district of Roane County, Tennessee, thence north 25° , east 9 chains to French alley, between said lot and Atwood lot; thence with C. V. Wilkey's line, leaving his land on the west, north 23° , east 35 chains to Sevier Ferry road, including W. M. Brown's lot on the east side; thence with Race street south 60° , east 3 chains; thence north 30° , east 32 chains to the northwest corner of the Staley meadow lot; thence south 60° , east ten (10) chains to northeast corner of said lot; thence north 30° , east 29 chains to Maple Row, north of Sturges' houses; thence south 54° , east 32 4-10 chains, on the north side of the Hill Nichol's public school house lots; thence south 28° , west 46 chains, keeping on the east side of Fleming, Pope, Bowling, M. E. Church, South, and J. B. Childress' lots; thence south $58\frac{1}{2}^{\circ}$, east 8 5-10 chains, including Branson's property on the hill; thence south 29° , west $22\frac{1}{2}$ chains, including Mrs. Niece and W. T. Childress' property inside of survey; thence north 57° , west 24 chains to Reed's, northeast corner of A. Brown's lot; thence north 45° , west 16 chains to the beginning, the same being the boundary of the old

City of Kingston incorporated.

town of Kingston, recorded in Book B, page 603, in the register's office of Roane County.

Property of
old town to
revert to new
city.

Sec. 3. *Be it further enacted*, That all real, personal, and mixed property of the old town of Kingston, shall hereafter belong to the city of Kingston, hereby created; and that all the debts, claims, and demands now existing against said old town of Kingston, be assumed and paid by the city of Kingston hereby created, and they shall constitute legal and valid claims against it; and that all debts, fines, forfeitures, and taxes now owing said old town of Kingston are made legal and valid claims in favor of the city of Kingston hereby created, and it shall have full power and authority to collect the same.

Elections, how
and when to
be held.

Sec. 4. *Be it further enacted*, That the first general election of officers under this Act shall be held in said town of Kingston, on the last Saturday in March, 1897; said election shall be opened and held by the sheriff of Roane County; said sheriff shall give ten days' notice of time and place of holding said election, by notices posted in at least five public places in said town, or by publication in some newspaper published in said town; said election shall be governed by the laws governing State and county elections. Any person who is a qualified voter for members of the General Assembly, under the laws of Tennessee, in Roane County, and who shall have been a resident of said town for thirty days next preceding said election, shall be entitled to vote. Any qualified voter, under the foregoing provisions, may vote for one candidate for Mayor, and six candidates for Aldermen. The sheriff holding said election shall immediately thereafter, make out two certified copies of the result of said election, showing the names of all the candidates voted for, for what office, and the number of votes received by each. One copy he shall deposit with the county court clerk of Roane County, and the other he shall deliver to the person receiving the highest number of votes for Mayor; *Provided*, that in case of a tie vote for Mayor, he shall deliver said copy to the candidate receiving the highest vote for Aldermen, in which there is no tie. The candidate receiving the highest number of votes for Mayor shall be Mayor of said town, and the six candidates receiving the highest number of votes for Aldermen, shall be the Aldermen of said town; *Provided*, that no person shall be eligible to the office of Mayor or Aldermen unless, at the time of election, he shall have attained the age of twenty-one years, and is, at the time of his election, a qualified voter in said

town; *Provided*, further, that in case of a tie in the vote cast, between any two or more candidates for Mayor, or any two or more candidates for Aldermen, who should be among the six candidates receiving the highest number of votes cast, the remaining members of the board, among whom there is no tie, shall settle such controversy at their first meeting, by electing any of the candidates receiving such tie vote, or they may, in their discretion, elect any other person.

Sec. 5. *Be it further enacted*, That the Mayor and Aldermen, before entering upon the duties of their offices, shall take an oath to honestly and faithfully discharge the duties of their respective offices without partiality, favor, or affection. Said oath may be taken before any officer authorized to administer oaths.

Sec. 6. *Be it further enacted*, That said Board of ^{Organization and officers.} Mayor and Aldermen shall meet on the first Tuesday after their election and organize, by electing one of their number recorder, one treasurer, and a marshal. Each of said officers shall hold for a term of one year and until his successor is elected and qualified, unless sooner removed for cause. Any vacancy occurring in the office of Mayor or Aldermen, or any other office under the provisions of this charter, whether by death, resignation, or otherwise, shall be filled by the remaining members of the board, unless otherwise provided for. Said board may fix, by ordinance, their times of meeting.

Sec. 7. *Be it further enacted*, That an election shall ^{Annual election of officers} be held annually on the last Saturday in March, for the election of a Mayor and six Aldermen, under the provisions of Section 4 of this Act; *Provided*, that the Mayor and Aldermen shall have the right to make such regulations as they may think best, touching the manner of holding elections, notice of the same, and certifying the results, which regulations shall not be in conflict with the Constitution and general laws of Tennessee; said election shall in all cases, except the first, be held by the marshal of the town; *Provided*, that a failure to hold any election at the time prescribed by this Act shall not work a forfeiture of the charter; but the officer whose duty it is to hold said elections, may be required by mandamus to do his duty.

Sec. 8. *Be it further enacted*, That the Mayor and ^{Powers of mayor and aldermen.} Aldermen of said city of Kingston are hereby empowered:

1. To enact such by-laws and ordinances as may be necessary to preserve the health, peace, quiet, comfort, good order, and morals of said city, including such

quarantine regulations, not to exceed two miles outside of the city limits, as occasion may require.

2. To levy and collect taxes upon all the property within the corporate limits, taxable by State law for State and county purposes, and on polls; *Provided*, that no levy for general corporate purposes shall exceed one dollar on each one hundred dollars valuation of taxable property, and shall not exceed two dollars on polls; and, *Provided*, further, that before any board shall make the tax levy for general corporate purposes, which shall be made annually, they shall first cause to be made and recorded on their minutes an estimated list or budget of the necessary expenses for the coming year, to which estimate reference may be had in making said tax levy. The tax levy for the year 1897 shall be made not later than July 1, and annually thereafter, some time in the month of January.

3. To define nuisances and to prevent and remove the same.

4. To appropriate money and to provide for the running expenses of the city.

5. To provide for and establish a system of public schools, and to provide for the support of the same.

6. To license and tax all privileges, taxable by the general laws of the State.

7. To regulate, prohibit, or suppress theatricals and other shows and exhibitions.

8. To regulate and suppress gaming, gaming houses, and gaming devices, disorderly houses, bawdy houses, houses of ill-fame, or assignation houses, and all other houses where two or more males and females meet for lewd and prostitute purposes, and they have power to pass all necessary ordinances to this end.

9. To prohibit the carrying of concealed weapons, and the sale of the same.

10. To regulate the storage, sale, and use of fire-crackers, and all kinds of fireworks, toy pistols, explosives, and combustibles, the smoking and sale of cigarettes.

11. To establish, regulate, license, and tax markets and marketers selling produce or provisions in the city.

12. To impose fines, forfeitures, and penalties for the breach of any ordinance adopted under this Act, and to provide for their recovery, and the arrest of any

person or persons breaching said ordinances, and to provide for sentences of imprisonment in the city work house or calaboose; *Provided*, that no fine shall exceed fifty dollars, and no sentence of imprisonment more than thirty days.

13. To erect and keep a calaboose or city prison in which to confine all persons violating the city ordinances, under such regulations as the Board may, by by-laws, adopt.

14. To erect and organize a work house in or near the city and provide for committing and working in said work house, on the streets or city works of any person or persons who shall fail to pay or secure any fines and costs imposed upon him or them for the violation of any ordinance, or who for any such violation may be sentenced to imprisonment in said work house; and to provide for the control and management of the same; *Provided*, that the city prison or calaboose may be declared the city work house, in the absence of a work house proper.

15. To prohibit and regulate the running at large on the streets of dogs and other animals.

16. To designate in said town certain districts as fire limits, and to provide for the character of houses that may be built in said districts.

17. To lay out said city into any number of wards, not to exceed six, and to change the same from time to time.

18. To provide for the support and maintenance of a police force, and to appoint the same.

19. To pass all ordinances necessary for the health, peace, convenience, safety, morality, and good order of the town, and for the prohibition and suppression of any and all acts and things made criminal by the laws of the State, and to provide for the punishment of the same.

20. To prohibit and prevent obstruction to the streets, sidewalks, and alleys of the city, by any and all kinds of vehicles, wheelbarrows, bicycles, filth, rubbish, material, horses, cattle, or other animals hitched, driven, or otherwise allowed to remain on said streets, alleys, or side walks, in such manner as to work an inconvenience, obstruction, or nuisance.

21. To grant rights of way through the streets and al-

leys of said town, to street railways and all other railways.

22. To condemn, take, use, and appropriate any ground necessary to widen or extend the streets, alleys, and avenues of said town; but shall pay to the owner or owners of said ground the actual damage done them, taking into consideration the improvement made.

23. To regulate the sale of intoxicants, ale, beer, or malt, in said town, to keep up the streets, side walks, and alleys; to fix the grade of the same; to open others, abolish, widen, change, or extend the same, and to pass all necessary ordinances requiring the owners of lots to make brick, stone, or plank side walks in front of their property along any street; and if they refuse, to provide a remedy, and to create a lien on such property for the same; but before such requirements shall be made, the city shall first, at its own expense, make good, substantial curbing along the property required to be so fixed by such owner.

24. To make suitable regulations for the preservation of life and property from fire or other casualty, and to pass ordinances requiring all persons, before erecting any building in the town, to obtain written permission from the Board of Mayor and Aldermen.

25. To provide for a system of fireworks, and the control of the same.

Purposes for
which indebt-
edness may be
created and
bonds issued.

Sec. 9. *Be it further enacted*, That the Board of Mayor and Aldermen are hereby authorized to contract indebtedness on behalf of the city and upon the credit thereof, by issuing bonds of the city, and disposing of the same for the purpose of obtaining money for any or all of the following purposes:

1. To build, make, or repair the streets and the side walks.
2. To construct and keep up a system of sewerage in said town.
3. To provide for the proper lighting of said town.
4. To build public buildings for city use.

Board to elect
officers and
school direc-
tors.

Sec. 10. *Be it further enacted*, That upon the organization of the first Board of Mayor and Aldermen, and all other boards thereafter, they shall elect a city marshal, a recorder, and a treasurer, and provide for the compensation of the same. They shall also, upon the organization of the first board, elect six qualified voters in said town, who can read and write, as city school directors; two of whom shall be elected for one year, two

for two years, and two for three years; and annually thereafter they shall elect two members of said board, who shall hold their offices for a term of three years, and until their successors are elected.

Sec. 11. *Be it further enacted,* That the Board of Mayor and Aldermen shall have the power to create such other offices and fill the same, as in their judgment may appear proper.

May create offices.

Compensation of officers.

Duties of mayor.

Sec. 12. *Be it further enacted,* That the compensation of the Mayor, Marshal, Recorder, and Treasurer shall be fixed by the Board of Mayor and Aldermen, other than as herein provided for. The Mayor shall preside at all the meetings of the board if present, and shall see that all the by-laws and ordinances are properly respected, and shall try all offenders brought before him for the violation of any of the city ordinances, and shall have all the rights, powers, and jurisdiction in criminal matters and offenses that justices of the peace have by the laws of the State; and for his services in all cases, including violations of the city ordinances, he shall receive such fees as justices of the peace receive for similar services. He shall keep a docket book, such as is kept by justices of the peace, and in the same manner. He shall keep his corporation and State cases separate in docketing.

Duties of recorder.

Sec. 13. *Be it further enacted,* That the recorder shall hold his office one year and until his successor is elected and qualified. In the absence, inability, or incompetency of the Mayor, he shall try all offenders brought before him, and shall have the same powers and jurisdiction as the Mayor in the discharge of such duties. He shall be the city tax assessor and collector; before entering upon the duties of his office, he shall give bond, approved by the Mayor, payable to the city of Kingston, in such sum and under such conditions as the board may prescribe. He shall be the city treasurer, and shall be the custodian of all the city's moneys, and shall pay out the same upon the order of the board, and in the manner directed; *Provided*, that the Board of Mayor and Aldermen may, at any time, create the independent office of treasurer, and fill the same. The term of said office hereby provided for shall be one year. The recorder or treasurer, if such office exists, shall settle with the Mayor at such times and as often as the board may prescribe; and said recorder, and also said treasurer, when such office exists, shall do and perform such other services and have such other powers as the board may, from time to time, confer and direct.

Duties of city
marshal.

Sec. 14. *Be it further enacted*, That the city marshal shall be the criminal officer of the town and the chief of police. He shall hold his office for a term of one year and until his successor is elected and qualified, and shall receive for his services the same fees as constables receive for similar services, and such other compensation as the board may fix. He may be removed by the board for good cause as the same may appear to the board. He shall arrest all persons violating any of the city ordinances or the criminal laws of the State, and take them before the Mayor or other person authorized by law, for trial or examination; when in his judgment it is necessary, he shall have the right to confine any person so arrested in the city prison or calaboose. He shall have all the power, authority, and jurisdiction within the corporate limits of the city, as to all criminal matters and process that constables have and shall receive the same fees. His criminal jurisdiction and authority shall extend one mile beyond the corporate limits of the city. He shall have such other powers and authority as the board may from time to time confer; before entering upon the duties of his office he shall give bond, approved by the Mayor, in such sums and under such conditions as the board may prescribe.

Special police-
men.

Sec. 15. *Be it further enacted*, That when in his judgment it may be proper, the Mayor may appoint special policemen for a specified time, not to exceed twenty days, who shall receive the same fees as the marshal, and such other compensation as the board may provide for.

City attorney..

Sec. 16. *Be it further enacted*, That the board may provide for a city attorney, who shall hold his office for a term of one year and until his successor is elected. He shall have such authority and perform such acts and duties as the board may prescribe. His compensation shall be fixed by the board.

Tax assess-
ments.

Sec. 17. *Be it further enacted*, That the assessment for taxes for the year 1897 shall be made by the first of July, 1897, and annually thereafter by the first of April. The assessment shall be made by the recorder, who shall be governed by the laws of Tennessee governing assessors, and shall have all their rights and authorities.

Board of
equalization.

Sec. 18. *Be it further enacted*, That the board may provide for a Board of Equalization, to go over the city assessment and equalize the same; said board shall consist of the Mayor, Recorder, and three other resi-

dent free holders in said town, and shall meet on the first Monday in May of each year. All persons aggrieved by their assessment may appear before said board and present their grievances. The decision of said board shall be final.

Sec. 19. *Be it further enacted,* That the annual tax ^{Annual tax levy.} levy for the year 1897 shall be made at some meeting of the board in June, and annually, thereafter, it shall be made at some meeting of the board in January. Said taxes, when levied, shall have all the force and effect given by law to State and county taxes in this State.

Sec. 20. *Be it further enacted,* That as soon as practicable after the adjournment of the Board of Equalization, if any, and if not, then as soon after the first Monday in May as practicable, the recorder shall make out the city tax books in duplicate, one copy of which shall be kept by the Recorder and the other by the Mayor. They shall be made out in 1897, not later than September 1, and annually thereafter not later than August 1. The taxes for each year shall be due and payable on and after the first of October. The recorder shall be the city tax collector, and in collecting city taxes shall have all the rights, powers, and authority that belong by law to county trustees in the collection of State and county taxes. He shall make out a list ^{City tax books.} of all delinquent taxes remaining on his books, and shall deliver the same to the city marshal or to such other person as the board may designate, on the first Monday in February next following the year for which the said taxes were levied. The city marshal or person receiving said delinquent taxes shall have all the rights, powers, and compensation in the collection of said taxes that constables and delinquent tax collectors have by law for collecting State and county revenue, and shall make his return on the first Monday in June of each year to the recorder; before taking such taxes he shall give bond in such sum and under such conditions as the board may prescribe, but in the collection of delinquent taxes, due the old town of Kingston for the year 1896, the recorder shall not place the same in the hands of the delinquent tax collector until the first Monday in June, 1897, and such delinquent tax collectors shall have, until the first Monday in September, 1897, to make his return. After the return of said marshal or delinquent tax collector the recorder shall at once make out and deliver to the city attorney, ^{Delinquent taxes.}

if there be one, if not, then to any attorney the board may designate, a list of all of said taxes still remaining delinquent; and the said attorney shall thereupon proceed to collect said delinquent taxes, proceeding in all respects, and being governed by all the laws governing attorneys for the collection of State and county taxes in this State; and all laws governing said State and county taxes, shall govern in the collection of these taxes.

Privileges

Sec. 21. *Be it further enacted*, That the recorder shall be the collector of privilege taxes in the city, and shall have the same rights, powers, and compensation in their collection that county court clerks have by law in this State for the collection of privilege taxes due the State and county.

Bonds of arrested persons.

Sec. 22. *Be it further enacted*, That in case of the arrest of any person or persons, and for any reason their trial is postponed or continued, such person or persons may be required to enter into bond in such sum as is now required by law in similar cases, continued to appear before the Mayor or other legal officer at such time and place as may be fixed by such continuance or otherwise, and shall not depart the court without leave; and in all cases of appeal by defendants, such defendants shall, in default of proper appeal bond and security, may be required to give appearance bond in such sum as the Mayor may prescribe, not less than one hundred dollars, conditioned that said defendant appear at the next term of the circuit court of Roane County and does not depart the court without leave; *Provided*, that if said appellate court is in session, to the court then sitting, and in default of such cost bond, or appearance bond such persons so appealing may be committed to the city prison.

Separate school district.

Sec. 23. *Be it further enacted*, That the city of Kingston is hereby created a separate school district, and the public schools in said city shall be managed, and controlled by the school board hereinbefore provided for; said school board shall organize at their first meeting, by electing one of their number chairman, and another secretary. The said Board of Directors, by the name and style of the Board of Directors of Rittenhouse Academy, shall be a body corporate, and shall have power to sue and be sued, contract and be contracted with, take, purchase, and hold real and personal property, and dispose of the same for school purposes;

said board shall draw their orders on the school funds, in the hands of the county trustee and the city recorder or treasurer, for any and all moneys due said school district hereby created.

Sec. 24. *Be it further enacted*, That whenever the public school fund, payable to said school district, shall be insufficient to run said schools such length of term as the Board of Directors may deem necessary, said board may certify that fact to the Board of Mayor and Aldermen with an estimate of the amount necessary to run the schools the length of term desired for the ensuing year, and the Board of Mayor and Aldermen may levy and collect a tax for the purpose of running said schools such length of term as to them may appear proper, looking especially to the estimate and recommendation of the Board of Directors; *Provided*, that the Board of Mayor and Aldermen may levy such tax without said estimate or recommendation from the Board of Directors, when in their judgment it may seem advisable.

Tax levy to extend school term.

Sec. 25. *Be it further enacted*, That whenever in this Act any omission is made in defining the duty or authority of any officer under the provisions of this charter, and which is necessary to properly carry out the provisions of this Act, the Mayor and Aldermen are hereby empowered to supply any such omission and they are hereby granted authority and power to do any and everything necessary to carry out the provisions of this Act.

Mayor and aldermen may supply omissions.

Sec. 26. *Be it further enacted*, That the Mayor and ^{Tie votes.} Aldermen shall have the power to provide, by ordinance, for the settling of all tie votes in any election for any of the city offices, and may provide for contests and the mode of such contests.

Sec. 27. *Be it further enacted*, That in the passage of any ordinance under this charter, only one reading shall be necessary, before such passage, unless otherwise provided for by the Board of Mayor and Aldermen.

Sec. 28. *Be it further enacted*, That the Mayor and ^{Franchises.} Aldermen shall have power to grant franchises to railroads and street railroads, gas companies, water companies, electric light companies, and any other company that may improve the town.

Sec. 29. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

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Sec. 30. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 316.

[HOUSE BILL NO. 672.]

AN ACT to repeal the act passed May 14, 1895, incorporating the town of Jamestown in the county of Fentress.

Repeal of incorporation.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 212 of the Acts of 1895, passed May 14, 1895, incorporating the town of Jamestown, in the county of Fentress, be and the same is hereby repealed.

Sec. 2. *Be it further enacted*, That this Act take effect from and after the first day of July, 1897, the public welfare requiring it.

Passed March 26, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 317.

[HOUSE BILL NO. 397.]

AN ACT to amend an act entitled "An act to amend the charter of the city of Trenton, Tenn., so as to empower said city to issue bonds in an amount not to exceed \$25,000, and to levy a tax to pay the same, for the purpose of constructing a system of water-works in said city," passed at the first extra session of the Forty-sixth General Assembly of the State of Tennessee, and being Chapter 2 of said Acts, and approved by the Governor on March 6, 1890, so as to empower said city to issue bonds to buy or construct water-works, and to buy or construct an electric light plant, and to levy a tax to pay the same.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter (2) two of the ^{Amendment of charter of Trenton.} Acts of the first extra session of the forty-sixth General Assembly of the State of Tennessee, entitled, "An Act to amend the charter of the city of Trenton, Tennessee, so as to empower said city to issue bonds in amount not to exceed \$25,000.00, and to levy a tax to pay the same, for the purpose of constructing a system of water works in said city," be amended by striking out everything after the word "used," in the ninth line of Section (1) one of said Act, and inserting as follows: "For the purpose of constructing or buying a water works plant and an electric light plant, one or both, in said city."

Sec. 2. *Be it further enacted,* That Section (4) four ^{Water-works and electric light plant.} of said Act be amended by striking out all of said section after the word "establishment," in the fifth line, and inserting the following: "Or buying a water works plant and an electric light plant, one or both; which election may be ordered by said Mayor and Board of Aldermen at any time, so that legal notice be given prior to said election. The voters favoring said question shall have written or printed on their tickets, "For said proposed improvement," and those opposed to said question shall have written or printed on their tickets, "Against said proposed improvement;" and if a majority of the persons voting in said election are in favor of said proposed improvements, then the said Mayor and Board of Aldermen may issue the bonds accordingly, to pay for the same; *Provided*, however, that none but persons qualified to vote for city officers in said city of Trenton, Tennessee, shall have the right to vote in said election.

Sec. 3. *Be it further enacted*, That this Act take effect at once, the public welfare requiring it.

Passed March 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved March 15, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 318.

[HOUSE BILL NO. 443.]

AN ACT to change the line between the counties of White and Warren.

Change of line Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of White and Warren be so changed as to include all of the Baliff Mill tract of land now belonging to Smallman and Swan.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,

Governor.

CHAPTER 319.

[HOUSE BILL NO. 12.]

AN ACT to protect game birds in the county of Weakley, and to provide penalties thereto.

Section 1. *Be it enacted by the General Assembly of Game law.
the State of Tennessee,* That it shall be a misdemeanor for any person to hunt, capture, kill, or wound, or destroy any quail, partridge, pheasants, larks, wild turkey, or wild ducks, in the county of Weakley from the first day of March to the first day of November, inclusive, of each and every year.

Sec. 2. *Be it further enacted,* That it shall be a misdemeanor for any person to take or catch with trap or net any quail, partridge, pheasants, larks, wild turkey, or wild ducks, at any time in said county except it be on his own premises.

Sec. 3. *Be it further enacted,* That it shall be a misdemeanor for any person to export, receive for exportation, carry, or cause to be carried any of the above enumerated kinds of game from said county at any time.

Sec. 4. *Be it further enacted,* That whoever shall violate either of the first two sections of this Act shall be punished by a fine of not less than ten nor more than twenty-five dollars, and imprisonment at the discretion of the court trying such case; and whosoever shall violate the third section of this Act shall be punished by a fine of not less than twenty-five nor more than fifty dollars, and imprisonment at the discretion of the court trying such case.

Sec. 5. *Be it further enacted,* That the judge of the circuit court of said county be required and it is hereby made his duty to give this Act specially in charge to the grand jury, and that said jury have inquisitorial power in the investigation of violations hereof.

Sec. 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 20, 1897.

J. D. JOHNSON,

Speaker pro tem. of the House of Representatives.

JOHN THOMPSON,

Speaker of the Senate.

Approved January 22, 1897.

ROBT. L. TAYLOR,

Governor.
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CHAPTER 320.

[HOUSE BILL NO. 657.]

AN ACT to authorize Stewart County to issue bonds for the purpose of building a jail, and to provide for the payment of the principal and interest of said bonds.

Authority to issue bonds. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county of Stewart, through its quarterly county courts, be and is hereby authorized and empowered to issue bonds of the county for the purpose of building a jail for the county, not exceeding the sum of eight thousand (\$8,000) dollars, bearing interest at the rate of six per cent. per annum, payable semi-annually. The said bonds to be payable in from one to ten years from the date thereof, as said county court may order and direct; *Provided*, three-fourths of the justices of said county attend the term at which the issuance of said bonds is determined upon, and vote for said issuance.

Denomination and signatures. Sec. 2. *Be it further enacted,* That the said bonds shall be signed by the chairman of the county court of Stewart County and countersigned by the clerk of said county court with his official seal affixed to the same; and to be in the denomination of five hundred dollars each and shall be numbered in the order of issuance, beginning with one.

Coupons. Sec. 3. *Be it further enacted,* That each of said bonds shall have attached to it interest coupons, showing the amount of each semi-annual installment of interest on said bonds and when the same shall fall due, which coupons shall be signed in the same manner as the bonds but without the official seal of the clerk, and showing on their face the number of the bonds to which they are attached.

Taxes. Sec. 4. *Be it further enacted,* That it shall be the duty of the county court annually to levy a tax on the taxable property and privileges of said county, for the purpose of paying the annual and semi-annual interest on said bonds, and for the purpose of creating a sinking fund to pay said bonds when due, and the taxes shall be collected and accounted for as other taxes, and the same compensation shall be allowed for collecting said taxes as is allowed for collecting other county taxes.

Sec. 5. *Be it further enacted,* That said bonds shall not be sold for less than par value.

Sec. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.
JOHN THOMPSON,
Speaker of the Senate.

Approved March 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 321.

[HOUSE BILL NO. 48.]

AN ACT to amend an act approved May 10, 1895, being Chapter 127 of the Acts of 1895, entitled "An act for the protection of fish in the State of Tennessee."

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act, approved May 10, 1895, being Chapter 127 of the Acts of 1895, entitled, "An Act for the protection of fish in the State of Tennessee," be and is hereby so amended, that hereafter it shall be lawful for any resident of this State to catch fish for use on his own table, but not otherwise, in the Cumberland river, Tennessee river, Mississippi river, Obion river, Forked Deer river, Big Sandy river, and Duck river, in Bedford and Hickman Counties, by any means except poison and explosives; *Provided*, that this shall not apply to Cumberland river in Robertson and Montgomery Counties.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 22, 1897.

JOHN THOMPSON,
Speaker of the Senate.
MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 322.

[SENATE BILL NO. 283.]

AN ACT to change and fix the time of holding the circuit court in the several counties of the Ninth Judicial Circuit of the State of Tennessee.

* Circuit court terms.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter the terms of the circuit court of the ninth judicial circuit shall be held as follows:

Hardin County—The second Mondays in March and December, and the first Monday of September of each year.

Wayne County—The fourth Monday in March and December, and the third Monday in September of each year.

Lawrence County—The first Mondays in January and April, and the fourth Monday in September of each year.

Giles County—The second Mondays in January and October, and the third Monday in April of each year.

Lewis County—The first Mondays in February and November, and the second Monday in May of each year.

Maury County—The second Mondays in February and November, and the third Monday in May of each year.

Bonds and process returnable, when.
Sec. 2. *Be it further enacted,* That hereafter all bonds shall be taken, and all process made returnable to said court at the time fixed in this Act for holding the same, and all bonds or recognizances taken at or after the last term of said court, as held under the existing laws of this State, and all process issued or bonds taken after that time shall be returnable to the first term of said court to be held in that county under the provisions of this Act.

Sec. 3. *Be it further enacted,* That all laws in conflict with this Act be and the same are hereby repealed.

Sec. 4. *Be it further enacted,* That this Act take effect from and after the first day of March, 1897; the public welfare requiring it.

Passed March 12, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,

Speaker of the House of Representatives.

Approved March 17, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 323.

[HOUSE BILL NO. 741.]

AN ACT to consolidate the cities of Knoxville, West Knoxville and North Knoxville, and to extend the boundaries of the city of Knoxville, and to amend an act entitled "An act to reduce the acts incorporating the city of Knoxville, and the various amendments thereto, to one act, and to amend the same, passed June 10, 1885.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That from and after January 1, 1898, the corporate limits of the Board of Mayor and Aldermen of the city of Knoxville, a municipality, organized under an Act of the General Assembly, passed June 10, 1885, being Chapter 8 of the Acts of 1885, extra session, be and they are hereby extended so as to embrace the following territory, lying contiguous to said city, to-wit: Beginning on the Tennessee river, at the mouth of Second creek, where the corporation line of the city of Knoxville corners on said river; thence up said Second creek, with the east bank thereof, to Asylum street; thence westward with Asylum street, and said corporation line to the East Tennessee, Virginia and Georgia Railroad (now Southern Railway); thence westward with said railroad and with said corporation line to where said railroad crosses Crawford's branch; thence south with said branch to Third creek; thence continuing down Third creek to said river; thence up said river to the beginning.

Sec. 2. *Be it further enacted,* That the territory hereinbefore described, which is the present town of West Knoxville, shall be and constitute the tenth ward of said city.

Sec. 3. *Be it further enacted,* That from and after January 1, 1898, the corporate limits of the Board of Mayor and Aldermen of the city of Knoxville shall be and they are hereby extended so as to embrace also the following territory, to-wit, second: Beginning at the eastern side of the right of way of the East Tennessee, Virginia and Georgia Railway (now Southern Railway), where it intersects with the corporate limits of the city of Knoxville, on the east side thereof; thence with the said eastern line of the said right of way to its intersection with Ricker street; thence with the center of said Ricker street to its intersection with Pearson avenue;

Extension of
corporate
limits.

Boundaries.

Additional ex-
tension of
limits.

Boundaries.

thence with the center of Pearson avenue to its intersection with the east line of the right of way of the Knoxville, Tazewell, and Jacksboro pike; thence a direct line, north 83 degrees, west, to the center of Morse street; thence with the center of Morse street, in a southwesterly direction, to the boundary line between the second and twelfth civil districts of Knox County; thence with said boundary line to the northern boundary line of the corporation of the city of Knoxville.

Eleventh ward

Sec. 4. *Be it further enacted*, That said territory, last described, which is the present town of North Knoxville, shall be and constitute the eleventh ward of the consolidated city.

Jurisdiction extended.

Sec. 5. *Be it further enacted*, That over all the territory hereinbefore described and added to the area of the Board of Mayor and Aldermen of the city of Knoxville, and over its inhabitants, the said board shall have, from and after January 1, 1898, the same jurisdiction that it now has by law within its present limits, including the right and power to levy and collect taxes for municipal purposes for the year beginning January 1, 1898, and forever thereafter.

Election in new territory.

Sec. 6. *Be it further enacted*, That at the regular election in January, 1898, in said city of Knoxville, as provided in its charter, there shall be elected from each of the two wards hereby created, one alderman, who shall possess the same qualifications and be elected in the same manner as the aldermen of the original wards of the city of Knoxville, and who shall have the same term of office, and the same rights, powers, privileges, duties, and responsibilities as the other aldermen of said city now have by law; and that the qualified electors of said added territory shall have the right to vote in all city elections hereafter to the same extent and under the same restrictions as now provided by law in the other wards of said city.

Indebtedness of annexed territory.

Sec. 7. *Be it further enacted*, That all corporate debts, obligations, and liabilities of the town of West Knoxville and of North Knoxville shall be assumed and provided for by the Board of Mayor and Aldermen of the city of Knoxville, according to the terms and provisions of the contracts under which such indebtedness shall have been created.

Contracts and franchises, how affected.

Sec. 8. *Be it further enacted*, That all valid and lawful contracts of the towns of West Knoxville and of North Knoxville shall be carried out and performed by the Board of Mayor and Aldermen of the city of Knoxville; *Provided*, that where any corporation or person has been granted a franchise to carry on any business,

or has secured rights of way over, or is occupying any street in West Knoxville, or in North Knoxville, such rights and franchises shall not extend beyond the territory of the municipality originally granting the same, without express authority according to law, from the Board of Mayor and Aldermen of the city of Knoxville; and the franchises, rights of way, and all other privileges held by such corporations or persons in the city of Knoxville, before this extension, shall not be extended into the territory of West Knoxville or North Knoxville, without authority from the Board of Mayor and Aldermen of the city of Knoxville; but the rights of said municipalities and of the corporations or persons with whom they may have such contracts, shall not be in any respect whatever changed or affected by this consolidation, but shall be in all respects the same as before the passage of this Act and the rights of the several municipalities shall be vested in the consolidated municipality; and the restrictions, obligations, and limitations imposed upon the persons and corporations holding such franchises and privileges from said several municipalities, shall not be in any respect affected hereby, but shall remain in all respects as before this consolidation with the right in the consolidated municipality to enforce the same.

Sec. 9. *Be it further enacted*, That from and after the passage of this Act the towns of West Knoxville and of North Knoxville shall issue no bonds and incur no debts or expenses, except the ordinary and necessary expenses of carrying on the business of said two corporations.

Sec. 10. *Be it further enacted*, That all property, real and personal, of the town of North Knoxville and of the town of West Knoxville, of every kind and description, shall, as soon as this Act shall take effect, become the property of the Board of Mayor and Aldermen of the city of Knoxville, and all taxes due to West Knoxville and to North Knoxville January 1, 1898; shall also be the property of the Board of Mayor and Aldermen of the city of Knoxville, which is hereby empowered and authorized to collect the same, as provided by the law under which they were assessed and levied.

Municipal
property and
taxes.

Sec. 11. *Be it further enacted*, That whenever the citizens of territory contiguous to the city of Knoxville shall, in the manner prescribed by Section 54 of the charter of the city, apply for admission into the city, the Board of Mayor and Aldermen is hereby authorized and empowered, when they shall have been admitted, as provided in Section 54, to erect said ter-

Contiguous
territory may
be admitted.

ritory into an additional ward of the city; *Provided*, it shall have a voting population of at least three hundred; but otherwise the wards of the city shall not be changed from the number fixed by this Act.

School children.

Vacancy in
mayorality,
how filled.

Board of Public Works.

Limits of officers.

Corporate name.

Act to be submitted to the people.

Sec. 12. *Be it further enacted*, That the school children, resident within the limits of the town of West Knoxville and North Knoxville, shall have the right to attend school in the school houses in said limits as heretofore, and shall not be required to attend any other school houses until they shall have completed the eighth grade.

Sec. 13. *Be it further enacted*, That whenever the Mayor of the city of Knoxville shall die, or resign, or his office shall for any reason become vacant, the vacancy shall be filled by the Board of Aldermen within thirty days after its occurs.

Sec. 14. *Be it further enacted*, That vacancies in the office of the Chairman of the Board of Public Works shall be filled by the Board of Mayor and Aldermen, the Mayor not voting, except in the case of a tie, and a majority vote of the whole number of aldermen shall be necessary to elect.

Sec. 15. *Be it further enacted*, That all officers of West Knoxville and North Knoxville, incumbent on January 1, 1898, shall hold their places and perform all their duties until the inauguration of the consolidated city government on the fourth Saturday of January, 1898, but no longer.

Sec. 16. *Be it further enacted*, That from and after the consolidation herein provided for, the corporate name of the consolidated city shall be the Mayor and Aldermen of the city of Knoxville.

Sec. 17. *Be it further enacted*, That this Act shall not take effect unless it be approved within six months after its passage by the qualified voters of the three municipalities affected by it as follows: Within four months after the passage of this Act the proper officers of each of said municipalities shall give notice for twenty days in a newspaper published in the city of Knoxville, that an election will be held upon the day therein named, for the purpose of voting upon the question of consolidation, and in each municipality the election shall be held separately, but they shall be held on the same day; and the town of North Knoxville shall not be incorporated into the city of Knoxville unless a majority of the qualified voters, voting in said election, shall vote in favor of it; and the town of West Knoxville in like manner shall not be incorporated into the city of Knoxville unless a majority of the qualified

voters voting in said election shall vote in favor of it; and there shall be no consolidation unless a majority of the qualified voters of the old city of Knoxville voting in said election shall vote in favor of it. The election in each of said municipalities shall be held in all respects according to the laws regulating general municipal elections. If the election in the old city of Knoxville results in favor of consolidation, then either West Knoxville or North Knoxville or both shall be admitted according to the results of the elections held in them respectively; but if a majority of the qualified voters in West Knoxville or in North Knoxville shall be against consolidation, then the municipality in which the majority of the votes cast against consolidation, shall not become a part of the Board of Mayor and Aldermen of the city of Knoxville, but shall remain a separate town, and the provisions of this Act shall only apply to the municipalities voting in favor of consolidation, and the number of wards shall be ten instead of eleven. The results of the elections in the several municipalities shall be ascertained and published by the proper corporate authorities of each, within three days after the elections.

Sec. 18. *Be it further enacted*, That the city of Knoxville, West Knoxville, and North Knoxville, shall have tickets prepared as provided under the election laws of this State, providing upon each ticket a vote for and against the consolidation of the municipalities aforesaid, as follows: "For Consolidation," "Against Consolidation;" and the elector shall affix a cross mark opposite the sentence expressing his sentiments involved in said election and shall be so counted in casting up the result.

Sec. 19. *Be it further enacted*, That the consolidation shall become and be effective, as herein authorized, from and after January 1, 1898; but the officers of West Knoxville and of North Knoxville shall hold over as herein provided.

Sec. 20. *Be it further enacted*, That the salary of the ^{Salaries.} Mayor of the consolidated city, should the election result in favor of the consolidation of either two or more of said municipalities, shall be \$1,400.00 per annum, and the salary of the Chairman of the Board of Public Works shall be \$1,800.00 per annum.

Sec. 21. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are

hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed April 2, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 2, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 324.

[SENATE BILL NO. 17.]

AN ACT to empower and authorize the town of McMinnville to issue bonds for the purpose of establishing a system of water-works, and for the purpose of establishing an electric light plant.

Authority to issue bonds. Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That from and after the passage of this Act it shall be lawful for the Board of Mayor and Aldermen of the town of McMinnville to issue coupon bonds in the manner and under the restrictions hereinafter provided, not exceeding the sum of thirty thousand dollars; *Provided*, said bonds or their proceeds shall be used exclusively for the purpose of constructing a system of water works, electric light plants, in such manner and place as may be determined upon by the corporate authorities of said town, and in accordance with its charter provisions for the making of all public improvements therein.

Conditions of bonds. Sec. 2. *Be it further enacted*, That all bonds issued under this Act shall be of such denominations, be such rate of interest not exceeding six per cent. per annum, and be due in such time, not less than five nor more than thirty years from date, and payable at such times and places as the corporate authorities may determine; *Provided*, however, that all bonds shall bear the same interest.

Sec. 3. *Be it further enacted*, That the bonds provided for by this Act shall in no case be sold for less than par, and the coupons attached shall, at maturity, be receivable for all taxes and dues to the corporation, except the "Sinking Fund Tax," provided for by the following section, and the "School Tax."

Sec. 4. *Be it further enacted*, That before any bonds shall be issued hereunder the corporation shall provide, by ordinance, for a sinking fund wherewith to retire the bonds by levying a special tax, the same to be designated, "The Sinking Fund Tax," the tax to run with the bonds, and to be collected annually, and used exclusively for the purpose levied, and to be sufficient with its accumulations, as near as can be estimated, to meet or retire the principal indebtedness by its maturity.

Sec. 5. *Be it further enacted*, That said corporation, before issuing any bonds under this Act shall, through its Board of Mayor and Aldermen, order an election, specifying the time and place by publishing notice of the same for twenty (20) days, to be held for the purpose of authorizing the issuance of said bonds; and at said election the voters voting for the issuance of said bonds shall have written or printed on their tickets, "For issuance of water works bonds and electric light bonds," and the voters voting in the negative shall have written or printed on their tickets, "No issuance of water works bonds, and no issuance of electric light bonds." All legally qualified voters under the laws of Tennessee and under the charter and provisions of the corporate laws of said town shall be entitled to vote in said election.

Sec. 6. *Be it further enacted*, That the said bonds shall not be issued or used unless so ordered by a vote of a majority of all the qualified voters, voting in said election, of the town of McMinnville at an election held in accordance with the foregoing section.

Sec. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 11, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Received and approved January 14, 1897.

P. TURNERY,
Governor. Google

CHAPTER 325.

[SENATE BILL NO. 489.]

AN ACT to provide more just and equitable laws for the assessment and collection of taxes for municipal purposes in Bluff City, in Sullivan County, Tenn.

Tax assessor.: Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter, at their first regular meeting, after election, or a meeting to be called for that purpose, not later than the 30th of June of each year, the Board of Mayor and Aldermen of the town of Bluff City, in Sullivan County, Tennessee, shall elect a tax assessor for said municipal corporation, whose term of office shall be one year.

Bond of assessor. Sec. 2. *Be it further enacted,* That said tax assessor, as provided for in Section one (1) of this Act, shall, before entering upon the duties of his office, file a bond which has been approved by the Board of Mayor and Aldermen, for such sum as they may find proper, not to exceed \$2,000.00; with the Mayor, conditioned to the faithful performance of the duties of his office, and shall take and subscribe to an oath, to be filed with the Mayor, conditioned to perform the duties of his office to the best of his skill and ability, and without favor to any one; said bond and oath to be filed at any time during the month of July.

Duties of assessor. Sec. 3. *Be it further enacted,* That the said tax assessor shall enter upon the duties of his office not later than August 1 of each year, and make assessment of all the property within corporate limits of the said town of Bluff City, which is subject to taxation under the assessment law for State and county purposes; and in order to make such assessment the said tax assessor will go to the assessment books, made out for the same year by the county or district assessor for State and county purposes, and assess from that book making his valuations the same; but should he find any property subject to assessment and taxation which has been missed by the county or district assessor, then he must go upon the premises and assess the same under the same rules under which the assessments are made for State and county purposes, and put all his assessments upon a book, prepared for that purpose, and furnished by the Board of Mayor and Aldermen, giving name of person owning or controlling said property together.

with the description and assessed value of same, and amount of taxes to be collected, which book he will turn over to the Mayor, with his certificate of correctness attached thereto, not later than September 1.

Sec. 4. *Be it further enacted*, That as soon as the assessment books are returned to the Mayor, on the first of September, that said taxes shall be due and payable to the Mayor, who shall receive and receipt for same, and for this purpose he is required to give notice, by written or printed posters, at three or more public places within the corporate limits of "Bluff City," of a time and place in Bluff City where he will be for the purpose of receiving taxes.

Taxes, how collected.

Sec. 5. *Be it further enacted*, That all of said taxes that are not paid to the Mayor on or before January 1 of the succeeding year for which they were assessed, together with all delinquent taxes now due said corporation, shall be made out on a book kept for that purpose and delivered by the Mayor to the constable for collection, whose duty it will be to collect said taxes, together with interest on same from January 1 after they fall due; and in order to collect said taxes the constable shall levy and sell the same as an officer would on execution at law, on the goods and chattels of the person against whom he has such taxes for collection, and nothing shall be exempt from levy and sale under said delinquent tax list; and for his services the constable shall be allowed the same fees as are allowed by law to the officer doing like work for the collection of State and county taxes. He will make garnishments, returnable before the Mayor for the first Monday of the month next after the service of same, and the Mayor is empowered to render judgment thereon if any thing be due, and issue execution the same as a justice of the peace would issue execution on judgment.

Delinquent taxes, how collected.

Sec. 6. *Be it further enacted*, That the constable shall return to the Mayor, on the first Monday in March, all delinquent taxes on realty which he has failed to collect, and the Mayor will present the same to the Board of Mayor and Aldermen, and if it appears to them that there is no personality out of which to satisfy said delinquent taxes, then the constable will be allowed, by order of said board, a credit for all such delinquent taxes, and released from any further responsibility therefor.

Constable.

Sec. 7. *Be it further enacted*, That within ten days after the return of said taxes by the constable, and the board has allowed him credit therefor, the Mayor shall notify the owner of the realty so returned of the de-

Mayor to notify delinquents.

linquency of such taxes, by letter, addressed to him at his last known postoffice.

Taxes a lien
on realty.

Sec. 8. *Be it further enacted*, That the said taxes be and are hereby declared a lien on the realty on which the same was assessed, and that after thirty (30) days from the time said notice was given, by letter, the Mayor shall file bills in the chancery court against the owner of said property for the enforcement of such liens and collection of said taxes; said bills to be filed in the name of the State of Tennessee, and Sullivan County, for the use of Bluff City, and all pieces of property on which such taxes are due, shall be put in the same bill; and for this purpose, if necessary, the Mayor may employ counsel, and the fee therefor shall be one (\$1.00) dollar for each piece of property, and ten per cent. of the amount collected, to be collected off the person delinquent, and as exhibits to such bill, there shall be filed along with the bill certified copies from the Mayor of the book in his office containing such delinquent taxes, returned by the constable, which shall be sufficient evidence to enforce the lien for same unless attached so as to render them invalid, and the clerk and master will not be required to copy the bill in issuing process.

Sec. 9. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Sec. 10. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1897. ,

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 326.

[HOUSE BILL NO. 462.]

AN ACT to amend an act entitled "An act to incorporate the town of Milan, in the county of Gibson, and State of Tennessee, and for other purposes," passed February 15, 1866, and to authorize the town of Milan to construct and put into operation a system of water-works and electric lights, either or both, in said town, and to issue bonds to pay for the same.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of the town of Milan, Tennessee, are hereby authorized and empowered to issue negotiable, interest bearing bonds, with coupons attached, to the amount of sixteen thousand (\$16,000.00) dollars, or such part thereof as they shall find necessary, and to negotiate and sell the same for the purpose of raising money to purchase, erect, put down, and equip a system of water works and electric light plant, either or both, in the town of Milan, Tennessee, together with all appliances and machinery for operating the same.

Sec. 2. The said bonds and coupons attached shall be signed by the Mayor and the chairman of the finance committee of said board of said town, and be attested by the seal of said town. The said bonds shall be issued in such denominations as the Mayor and Aldermen may desire and order, and shall mature in fifteen years from date of issuance, and one-third of the amount of said bonds, or any amount under one-third, issued under this Act, may be redeemed at the option of the said Board of Mayor and Aldermen at any time after the expiration of one year from date of issue; and one-third of the amount, or any amount under one-third, after five years from date of issue; and one-third of the amount, or any amount under one-third, after ten years from the date of issue. The said bonds shall bear interest at the rate of six per cent. per annum, payable annually at the office of the treasurer of the said town of Milan, Tennessee.

Sec. 3. *Be it further enacted,* That before said bonds shall be issued the Mayor and Aldermen shall cause an election to be held in said town, to submit the question to the voters of the town to ascertain whether or not they are in favor of issuing said bonds, and at

Authority to
issue \$16,000 in
bonds.

Bonds and
coupons,
terms of issue
and redemp-
tion.

Election.

least 20 days' notice shall be given by printed posters of the time, place, and purpose of said election; and if a majority of the votes cast at the said election shall favor the issuing of the said bonds, then the Mayor and Aldermen shall issue them as prescribed in above section. Those in favor of issuing said bonds shall have printed or written on their tickets, "For Bonds," those opposed, "Against Bonds."

Special tax.

Sec. 4. *Be it further enacted,* That after the issuance of said bonds the Mayor and Aldermen of said town are hereby authorized and empowered to levy and collect annually a special tax, not exceeding thirty cents on the one hundred dollars on the assessed valuation of all taxable property, and also to levy and collect a tax on privileges within the corporate limits of said town, for the purpose of paying the interest on said bonds, and to create a fund with which to pay off and redeem the bonds herein authorized to be issued.

Taxes, how disposed of.

Sec. 5. *Be it further enacted,* That the above bond tax shall be collected and paid over to the treasurer of said town as other taxes, and shall be paid out by said treasurer when due interest coupons are presented to him for payment, or when ordered by the Board of Mayor and Aldermen, to pay the same on said bonds. The said bonds and coupons, when taken up by said treasurer, shall be his voucher to the Board of Mayor and Aldermen and the same shall be cancelled as city and school warrants are cancelled.

Operation of plant.

Sec. 6. *Be it further enacted,* That the Board of Mayor and Aldermen may elect officers for the operation of said plant and fix their salaries and prescribe by ordinance the rate charged to consumers of water or persons using electric lights, either or both, or may make special contracts in special cases and prescribe penalties for any violations to the rules and regulations of said water and electric light system, and shall have power to establish and enforce all necessary rules and regulations of said works in order to the furnishing good water and lights, either or both, and to locate the same in the town thereof, and to do and perform all acts necessary to the successful operation of the same, and to purchase and acquire title to real estate on which to locate the same.

Record of bonds.

Sec. 7. *Be it further enacted,* That the Mayor of said town of Milan, Tennessee, shall keep a well bound book on which he shall keep the date of issue, the number and amount of each of said bonds, and to whom sold, as well as the number and amount of each coupon and when due; and when bond or coupon shall have been

paid and cancelled, the Mayor shall enter the same on said book, stating the date the same was paid and cancelled.

Sec. 8. *Be it further enacted*, That the Board of Mayor and Aldermen of the town of Milan shall not have the power or authority in any event to sell any bonds issued under this Act for less than their face value for cash, and that this Act take effect from and after its passage, the public welfare demanding it.

Passed March 24, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 30, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 327.

[SENATE BILL No. 421.]

AN ACT to amend an act entitled "An act to incorporate the town of Milan, in the county of Gibson and State of Tennessee, and for other purposes, passed February 18, 1866," and to authorize the Board of Mayor and Aldermen of Humboldt, Tenn., to extend the main pipe of the water-works plant, and to issue bonds to pay for the same.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Board of Mayor and Aldermen of the town of Humboldt, Tennessee, are hereby authorized and empowered to issue negotiable, interest bearing bonds (of the denomination of two hundred and fifty dollars, with coupons attached, to the amount of five thousand dollars (\$5,000.00), or such part thereof as they shall find necessary, and to negotiate and sell the same, for the purpose of raising money to extend the main pipes of the water works of said town; *Provided*, not to be sold for less than par value. The rate of interest on said bonds shall not exceed six per cent. per annum, payable annually.

Maturity.

Sec. 2. *Be it further enacted*, That said bonds shall be signed by the Mayor and Secretary of said board, and shall mature in twenty years from date of issue; the said town reserving the option to pay or redeem the same, or any part of them at any time after the expiration of ten years from date of issue.

Special tax.

Sec. 3. *Be it further enacted*, That the said Board of Mayor and Aldermen are herein authorized to levy and collect annually a special tax, not to exceed ten cents on the one hundred dollars worth of all taxables, and to levy and collect a tax on all privileges in said town to create a fund to pay the interest, and also to pay off and redeem the said bonds herein authorized to be issued.

Election.

Sec. 4. *Be it further enacted*, That before the said board shall issue said bonds, that they shall order and hold an election, giving the voters of said town an opportunity to express their desire as to whether said bonds shall be issued or not. A majority of the votes polled at the last Mayor's election to decide the same; those favoring the issuance of bonds shall have written on their ticket, "For Bonds," those against the issuance of bonds shall have written on their ticket, "Against Bonds."

Sec. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 1, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 328.

[HOUSE BILL NO. 766.]

AN ACT to repeal the charter of the town of Glenmary, in the county of Scott.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of incorporation of the town of Glenmary, in Scott County, be and the same is hereby repealed, and said corporation abolished.

Sec. 2. *Be it further enacted,* That this Act take effect from and after the first day of July, 1897, the public welfare requiring it.

Passed April 5, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

CHAPTER 329.

[SENATE BILL NO. 486.]

AN ACT to amend an act passed by the present General Assembly of the State of Tennessee, and approved January 29, 1897, and entitled "An act to authorize the city of Clarksville to issue twenty thousand dollars (\$20,000) of bonds to be used to extend and improve its water-works system," and to amend the caption thereof.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 1 of an Act, passed by the present General Assembly of the State of Tennessee, authorizing the city of Clarksville to issue twenty thousand dollars (\$20,000.00) of water works bonds, be amended by adding to the said section the following words: *Provided*, that the proceeds derived from the sale of the said bonds may be applied to the

Amendment
of act.

payment of such debts as have already been created in making extensions and improvements of the said water works system.

**Caption
amended.**

Sec. 2. *Be it further enacted*, That the caption of the said Act be amended so as to read as follows: "An Act to authorize the city of Clarksville to issue twenty thousand dollars (\$20,000.00) of bonds to be used to extend and improve its water works system; to direct the application of the proceeds of the said bonds, and of the revenue derived from the operation of said water works."

Sec. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

Senate Joint Resolutions.

SENATE JOINT RESOLUTIONS.

NUMBER 1.

Be it resolved by the Senate of the State of Tennessee, the House concurring, That a committee of two on the part of the Senate and three on the part of the House be appointed to wait on the Governor and notify him of the organization of the two Houses.

Adopted January 6, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 2.

Be it resolved by the Fiftieth General Assembly of Tennessee, That a joint committee of five, two from the Senate and three from the House, be appointed by their respective Speakers, to examine the books of the Librarian, and also the general condition of the library, and report at their earliest convenience.

Adopted January 6, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved January 9, 1897.

P. TURNER,
Digitized by Google
Governor.

NUMBER 3.

Resolved, That two (2) members on the part of the Senate, and three (3) members on the part of the House, be appointed a committee to investigate the condition and accounts of the Commissioner of Agriculture, and make their report to this honorable body.

Adopted January 7, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK.

Speaker of the House of Representatives.

Approved January 11, 1897.

P. TURNEY,
Governor.

NUMBER 4.

Be it resolved by the General Assembly of the State of Tennessee, That the Presidential Electors of 1896 be allowed four dollars per diem while in actual session, and the same rate of mileage now allowed by law to members of the General Assembly; and that the Comptroller is authorized and empowered to draw his warrant to them respectively for the amount due each; and that the same shall be included in the general appropriation bill, but this shall only apply to those in actual attendance.

Adopted January 11, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Received and approved January 14, 1897.

P. TURNEY,

Digitized by Google
Governor

NUMBER 5.

Be it resolved by the Fiftieth General Assembly of the State of Tennessee, That the joint committee appointed by said Assembly to investigate and examine the offices of State Treasurer and Comptroller is hereby vested with the following power and authority:

1. To administer oaths and issue subpœnas for any witness the committee may deem material to be brought before it, and enforce the attendance of such witnesses by any necessary process.
2. To take the deposition of any witness by the committee, or any member thereof.
3. To send for any books, papers or documents they deem necessary for proof, examination or inspection, and full power and authority is vested in the Sergeant-at-Arms of either House, and in each member of the committee, to serve process and enforce the above designated powers.

Adopted January 14, 1897.

JOHN THOMPSON,

Speaker of the Senate.

MORGAN C. FITZPATRICK,

Speaker of the House of Representatives.

Approved January 15, 1897.

P. TURNEY,

Governor.

NUMBER 6.

Be it resolved by the General Assembly of Tennessee, That a committee of three from the Senate and six from the House be selected from the Committee on Charitable Institutions, and committees of three from the Senate and six from the House be selected from the

Agricultural, Educational and Penitentiary Committees, to visit their respective institutions, and that said sub-committee be selected by the chairman of the respective committees in each House; providing that the Superintendent of each charitable institution in the State be required to furnish, in detail an itemized statement, to be submitted with their reports, showing the amount spent each year for salaries, and to whom paid; also, amount spent for labor, and to whom paid; also, an itemized statement showing the amount expended for the maintenance of the institutions; said information to be furnished as soon as possible, that the Committee on Charitable Institutions may make a comparison of the cost of maintaining this institution with institutions of like character in other States; providing, that a sergeant-at-arms be provided for committees on Charitable Institutions and Penitentiary, at the discretion of the committees, and that an accountant be provided for the Penitentiary Committee, if the same is deemed necessary by said committee, at compensation not exceeding \$5.00 per day.

Adopted January 15, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved January 27, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 7.

WHEREAS, The old Confederate soldiers, at the Confederate Soldiers' Home, are deprived of the gospel under the present appropriation for the Home, no provision having been made for same in general appropriation bill ; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That an appropriation of one hundred and fifty dollars per annum be made for the purpose of securing divine services at least once per week at the said Confederate Soldiers' Home, and that the Comptroller be authorized to draw his warrant upon the Treasurer in favor of the trustee of the Confederate soldiers, and that the same be included in the general appropriation bill.

Adopted January 18, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved January 22, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 8.

Be it resolved, That the Governor be, and is hereby, requested to call upon the Attorney-General and his assistant for a report of the status of the suits brought in 1893, in the Chancery Court at Nashville, against Ex-Gov. John P. Buchanan, J. W. Allen and M. F. House, Comptroller and Treasurer, and their bondsmen, in accordance with the recommendation of the committee appointed by the Forty-eighth General Assembly, to recover to the State money wrongfully paid out by them and fees illegally retained.

Resolved, That the communication requested shall state, first, when the suit was instituted; second, when and what other action has been taken by the attorneys; third, what decrees or orders have been made by the court; fourth, whether or not proof has been taken to establish the claims of the State; fifth, any other information in regard to these suits that may be deemed of interest to the General Assembly in determining what other action may be necessary to bring said suits to a speedy termination.

Adopted January 19, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved January 30, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 9.

Be it resolved by the Senate and House of Representatives, That the sub-Penitentiary Committee be, and they are hereby directed, authorized, empowered and required to investigate the books and accounts, etc., of the Commissioners and other officers of the State Prison, and report fully as to the amount of money received by them, and the disposition or disbursement of the same, and whether the same has been properly applied, and amount, if any, on hand ; also, to report progress of the construction of the new prison buildings and improvements on the property belonging to the State Prison, and whether the work is being done in conformity to the specifications and plans, and for these purposes the said sub-committee is hereby authorized to employ one expert accountant and one practical expert contractor and builder, and a stenographer.

Be it further resolved, That said sub-committee shall report in detail all property of the State appertaining to and belonging to the State Prison, and shall make a minute examination and report as to all moneys received and expended by the State officers in charge of said State Prison property, and to that end power is hereby conferred upon the committee to send for and subpoena witnesses, and to do any and all things necessary to make a full and complete examination of all the acts and doings of any and all the officers connected with the management of the State Prison and branches thereof.

Be it further resolved, That the experts employed under this resolution shall be entitled to five (\$5.00) dollars per day and their traveling expenses for their services, and the State Treasurer is directed to pay to the chairman of the joint sub-committee a sufficient amount to pay the same.

Be it further resolved, That the chairman of the said joint sub-committee be, and he is hereby, authorized to appoint a sergeant-at-arms and a clerk to serve during the session of said sub-committee, who shall be entitled

to \$4.00 per day each, and traveling expenses, for their services, which the State Treasurer is directed to pay.

Be it further resolved, That said sub-committee proceed with its work during the recess of the Legislature.

Adopted February 11, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 15, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 10.

Resolved by the General Assembly of the State of Tennessee, That the election of Lemuel Campbell and L. Rascoe by the Trustees of the Tennessee School for the Blind, to fill the vacancies in the Board, occasioned by the death of the late Thompson Anderson, and the resignation of George W. Smith be, and the same is, hereby confirmed.

Adopted February 9, 1897.

JOHN THOMPSON,
Speaker of the Senate.

JOSEPH W. BYRNS,
Speaker pro tem. of the House of Representatives.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 11.

WHEREAS, The Senate and House Joint Penitentiary Committee, heretofore appointed a sub-committee to visit and examine what is known as "The Morrow Farm," and report as to the advisability of the State renting said farm for the purpose of employing the State prisoners in the cultivation of said farm ; and,

WHEREAS, Said sub-committee did visit and examine said farm on January 23, 1897, and made their report back to the joint Senate and House Penitentiary Committee, which report is in the words and figures following, to wit : * and,

WHEREAS, The said report was submitted to said Senate and House Joint Committee on February 3, 1897, and upon consideration of said report it was ordered by said joint committee that the report of said sub joint committee be approved and adopted ; and that the chairman of the said Joint Senate and House Committee present a joint Senate and House resolution providing for the acceptance of the proposition of the owners of said Morrow farm, the substance of which is contained in the report of said joint sub-committee above set out, and authorizing the Commissioners of the Penitentiary to rent said Morrow farm at the price of \$3,000 for the year 1897, with the option of renting said farm for the year 1898, subject to the approval and ratification of the Governor, Secretary of State and State Treasurer, and under the same terms as for the year 1897.

Therefore, in conformity to the action of said joint sub-committee, and said Joint Senate and House Committee.

Be it resolved, That the Commissioners of the Penitentiary of the State of Tennessee be, and they are, hereby authorized, empowered and directed, subject to the approval, of the Governor, Secretary of State, and State Treasurer, to rent the said morrow farm for the year 1897, at the price of (\$3,000) three thousand dollars per annum in cash, to be made due and payable on November 15, 1897, out of any money belonging to

* The sub-committee's report has been mislaid, and is therefore omitted.

the State of Tennessee, not otherwise appropriated, on the warrant of the Comptroller, and by the State Treasurer, and that the said Penitentiary Commissioners may also have the option of renting said farm for the year 1897, for the purpose above specified, subject, however, to the approval and ratification of the Governor, Secretary of State and State Treasurer, and subject in all respects to the terms under which the said farm may be rented for the year 1897.

Be it further resolved, That the contract for the rent of said farm be fully and minutely set out in writing, and the same to be signed by the owners of said farm, and the said Penitentiary Commissioners, and shall be subject to the approval of the Governor, Secretary of State and State Treasurer.

Be it further resolved, That the said Penitentiary Commissioners shall keep an itemized account of all property, means and effects belonging to the State which may be put into use in the cultivation of said farm, and shall keep an itemized account of all expenses of every kind and description had in the cultivation and management of said farm, and shall keep an itemized account of all money invested in live stock for said farm, and of the price paid for same, and the price at which the same is sold, if sold, and if not sold, shall show what disposition was made of same, and what it was worth on the market at the time of disposition of same, and shall keep a true account of all receipts and disbursements had in the management of said farm, and at the close of the year said Commissioners shall make a full and minute report of the management of said farm to the Governor, Secretary of State and State Treasurer, showing all transactions in the management of said farm, receipts and disbursements on account of operating said farm, and showing just what the results have been in operating said farm. The report, so made, shall be under oath of at least two of said Commissioners, and the said report shall be subject to approval or rejection by the Governor, Secretary of State and State Treasurer, or any two of them.

Be it further resolved, That the books and accounts of said Commissioners, respecting the management and conduct of said farm, shall at all times be kept open and subject to the inspection and examination of the

Governor, Secretary of State and State Treasurer, or to any person, or persons, or committee, which may be appointed by the Governor, Secretary of State and State Treasurer, and such examination may be made at any time into the management and conduct of the said Commissioners in the management of said farm, and into the books and accounts of said Commissioners, relating to the management of the said farm as the Governor, Secretary of State and Treasurer may deem proper ; and such further steps may be taken by the Governor, Secretary of State and State Treasurer as may be necessary to secure the proper conduct and management of said farm by the said Penitentiary Commissioners.

Adopted February 12, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 15, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 12.

Be it resolved by the General Assembly of the State of Tennessee, That the expenses of the inauguration of the Governor, as shown by accompanying vouchers, be paid, and the same, amounting to the sum of eighty-four dollars and eighty cents, be included in the general appropriation bill.

Voucher 1. Carriages.....	\$ 27 00
Voucher 2. Extra Chairs.....	20 00
Voucher 3. Floral decorations.....	13 00
Voucher 4. Flannel for cartridges....	.2 15
Voucher 5. Badges.....	2 00
Voucher 6. Sundry expenses.....	<u>20 65</u>
	<u>\$ 84 80</u>

Adopted March 13, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 13.

WHEREAS, Under Chapter 4, Acts of the Extra Session of 1895, the rate of assessment on personal and real property for the years 1895 and 1896 is fixed at twenty cents on the hundred dollars for State purposes ; and,

WHEREAS, The clerk of the county court of Scott County, in making out the tax book for said county, through mistake, made the rate thirty cents on the hundred dollars, being ten cents in excess of the amount fixed by law ; and,

WHEREAS, The Trustee and Back Tax Attorney of said county of Scott collected said excess of ten cents on each one hundred dollars, and paid the same over to the Comptroller, as is shown by the books in said Comptroller's office, amounting to five hundred and ninety-eight dollars and seventy-nine cents (\$598.79) more than was legally due the State from said county for the year 1895 ; and,

WHEREAS, Said excess of five hundred and ninety-eight dollars and seventy-nine cents should be paid back to said county ; now, therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the Comptroller is hereby authorized and directed to draw his warrant on the Treasurer, in favor of the Trustee of Scott County, for the sum of five hundred and ninety-eight dollars and seventy-nine cents (\$598.79), and that said amount be included in the general appropriation bill.

Adopted February 11, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 13, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 14.

WHEREAS, The Hermitage, the home of the late Andrew Jackson, is the property of the State of Tennessee ; and,

WHEREAS, Four hundred and fifty (450) acres of said Hermitage property was given to a Board of Trustees, to be used for a Confederate Soldiers' Home for a term of twenty-five years from April, 1889 ; and,

WHEREAS, Twenty-five (25) acres of said property, including the tomb, residence and out-houses of Gen. Jackson, was at the same time given to the Ladies' Hermitage Association, to be kept and used as a memorial to Gen. Jackson ; and,

WHEREAS, The said Hermitage property, at the termination of said gifts, will again become the property of the State ; and,

WHEREAS, The road running through said property from the Lebanon turnpike by the Confederate Home and the residence of Gen. Jackson, and until it again reaches said pike, a distance of from three-quarters to one mile, is in an almost impassable condition, all of said road being on the property of the State ; and,

WHEREAS, It is very important that said road should be put in good condition, to enable visitors to visit the Confederate Home and the Hermitage ; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the Board of Penitentiary Commissioners be, and they are hereby instructed to grade and macadamize said road with any convicts of the State not otherwise employed.

Be it further resolved, That said work shall be done before the first day of May, 1897.

Adopted February 5, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 13, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 15.

WHEREAS, The Governor has seen proper to submit the petition of Fulcher & Co. to the General Assembly by special message, asking an investigation of their claim against the State growing out of the cancellation of their contract with the State for the building of the new penitentiary ; thetefore,

Be it resolved by the General Assembly of the State of Tennessee, That a joint committee shall be appointed by the Speaker of the House, two from the Senate and three from the House, charged with the duty of investigating said claim, and bringing about an equitable settlement between Fulcher & Co. and the State, and report their action at the earliest day possible to the General Assembly, the committee to sit during regular session.

Adopted February 9, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 15, 1897.

ROBT. L. TAYLOR,
Governor. —

NUMBER 16.

WHEREAS, It is claimed and charged with great particularity and positiveness that our State government, as now run and managed at the State capitol, is too expensive and extravagant, and that great reduction can and should be made in the cost of running the same; and,

WHEREAS, Our present financial condition as a State demands the practice of the most rigid economy in public expenditure and the cutting down of expenses wherever the same can be done without injury or damage to the public service; and,

WHEREAS, The people, the taxpayers of the State, are asking and demanding relief from the burden of taxation, and are expecting the adoption of economic and reform measures by the present Legislature; hence, to the end that justice may be done to the people of the State, and to the State officials, office-holders and employees, and to prevent hasty and inconsiderate action, without definite, proper, and necessary information; therefore,

Be it resolved by the Senate, the House concurring,
That a joint committee of three on the part of the Senate, and five on the part of the House, be appointed by the Speaker of the respective Houses to investigate and report as to what reductions can and should be made in the salaries and in the number of officials and employees in the bureaus and departments as follows: The Governor's office, the Adjutant-general's office, the Secretary of State's office, the Treasurer's office, the Comptroller's office, the office of Superintendent of Public Instruction, the Bureau of Agriculture, the Board of Health, the penitentiary, the State Board of Tax Equalization, the State Library, the office of State Geologist, the Bureau of Labor, the landscape gardener, and all other employees of every kind and nature, in and about the capitol. Said committee shall report if any of these bureaus, boards, etc., can be abolished without injury or inconvenience to the people of the State.

The committee shall also take into consideration and

report as to the advisability and feasibility of consolidating any two or more bureaus, boards or offices under the same management or head.

Adopted March 24, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

ROBT. L. TAYLOR,
Governor.

NUMBER 17.

WHEREAS, It became necessary for the cause of justice, and to escape mob violence, to remove from Jackson, Tennessee, to Nashville, Tennessee, Bart Green and Mose Burtle, prisoners in the county jail at Jackson, Tennessee, who were under indictment for murder, in the criminal court at Jackson; and,

WHEREAS, Peter Turney, Governor of the State of Tennessee, by telegram, ordered E. A. Brooks, Sheriff of Madison County, to remove said prisoners to Nashville, and said Brooks, in pursuance of said order, took said prisoners from Jackson, Tennessee to Nashville, and brought them back to Jackson when the public feeling against said prisoners had so subsided that it was safe to bring them back; and,

WHEREAS, Said Brooks did pay out of his pocket the expenses of bringing the prisoners to and from Nashville, and that the expenses as incurred amounted to \$35.80; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the Comptroller be, and his hereby

authorized to issue his warrant upon the State Treasurer for the sum of \$35.80, in favor of said E. A. Brooks, and the same be included in the general appropriation bill.

Adopted March 11, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK.
Speaker of the House of Representatives.

Approved March 13, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 18.

WHEREAS, The Governor's office is in a bad state of repair; therefore,

Be it resolved by the General Assembly, That the Governor be, and is hereby authorized to make such repairs in said office, and purchase such other furniture as he may believe to be absolutely necessary for the furnishing thereof, not to exceed four hundred dollars (\$400.00), to be included in the general appropriation bill.

Adopted March 27, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 29, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 19.

Be it resolved by the General Assembly of the State of Tennessee,, That the Comptroller of the State is directed to draw his warrant upon the Treasurer in favor of McDonald Bros. for the sum of three hundred and ninety-seven dollars and fifty-five cents, being the amount due them under contract for the repair of the State capitol, and that the same be included in the general appropriation bill.

Adopted April 3, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK.
Speaker of the House of Representatives.

Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 20.

Joint resolution endorsing House bill No. 1996, introduced in Congress by Mr. Richardson, to establish a National Military Park at the battlefield of Stones River.

WHEREAS, A bill is now pending in the Congress of the United States (No. 1996) providing for the establishment of a National Military Park at the Battlefield of Stones River, under the ownership and general authority of the General Government; and,

WHEREAS, In the opinion of the General Assembly of Tennessee, that no more fitting monument could be erected to the valor and patriotism and devotion to Northern and Southern soldiers, than the setting apart and consecration to sacred and historic uses of the field of Stones River, to be a perpetual witness of the unsurpassed manhood of a people now happily reunited in the bonds of fraternal affection; therefore,

Be it resolved by the General Assembly of Tennessee,
That the patriotic action proposed to be taken in said
bill meets with our hearty approval, and that we earnestly
request our Senators and Representatives in the Con-
gress of the United States to use their best efforts to
carry forward to completion an undertaking honorable
to every part of our common country, and which will
preserve for the use and instruction of future generations
the classic soil of a great and memorable conflict of
arms.

Be it further resolved, That in the spirit of the broadest
patriotism we appeal to the people and the chief execu-
tives and legislative authorities of our sister States, and
especially of those whose soldiers participated in the
battle of Stones River, to join with us in the purpose
and effort to rescue this field from ordinary uses that,
beautified by the hand of art, it may testify now and for
all time to come the homage of a grateful country to the
living and dead heroes whose martialed valor has made
it forever memorable in American history.

Be it further resolved, That the Governor is hereby
requested to communicate the foregoing resolutions to
our Senators and Representatives in the Congress of the
United States, and to the Governors of those States
whose soldiers took part in the battle of Stones River.

Adopted March 18, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 19, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 21.

WHEREAS, In this year 1897, the Commonwealth of Tennessee celebrates the one hundredth anniversary of the State by the holding of the Centennial Exposition ; and,

WHEREAS, This, the Fiftieth General Assembly was chosen in the year 1896, and is the first Centennial Legislature of the State ; and,

WHEREAS, This General Assembly has appropriated \$50,000 for a State exhibit at said Centennial ; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That it is the sense of the General Assembly that it should participate in an official and formal way in the opening ceremonies of said Centennial on May 1, next.

Be it further resolved, That on April 10, 1897, at 12 o'clock m., at its present session, the General Assembly take a recess until Friday, April 30, 1897, at 9 o'clock a.m., when said Assembly shall again convene, and finish up the work of the present session of the General Assembly, and arrange to participate in a proper manner in the opening ceremonies of said Centennial.

Be it further resolved, That a joint committee of twelve members be selected, five from the Senate, appointed by the Speaker, and seven from the House of Representatives, appointed by the Speaker thereof, the duty of which committee shall be to confer with the President and other officers of the Tennessee Centennial Exposition Company, and formulate a programme, and present the same to the two Houses of the Legislature, when reconvened on the day indicated, for their consideration ; provided further, that the Governor and the Speakers of the respective Houses be added to said joint committee, the Governor to be the chairman of said committee.

Adopted April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 10, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 22.

Resolution confirming the election of Trustees to supply vacancies in the Board of Trustees in the University of Tennessee.

WHEREAS, The charter of the University of Tennessee provides that upon the death, resignation or removal from the State of any of the Trustees of the said institution the vacancy thereby occasioned shall be supplied by the remaining Trustees electing some other person, which election shall remain until the expiration of the next term of the General Assembly, within which time the General Assembly shall confirm such election or supply such vacancy ; and,

WHEREAS, The Board of Trustees of the University of Tennessee did, at their semi-annual meeting held January 23, 1896, elect James Maynard, of the Second Congressional District, as a Trustee of said institution, to fill the vacancy caused by the resignation of H. L. W. Mynatt of said district, and at their annual meeting held June 8, 1896, they elected as such Trustees Joshua W. Caldwell, of the Second Congressional District, to fill the vacancy caused by the death of R. H. Armstrong, of said district ; and Hal H. Haynes, of the First Congressional District, to fill a vacancy occasioned by the death of M. P. Jarnagin of the Second Congressional District, which elections were made in accordance with instructions of the General Assembly of the State of Tennessee, expresed in resolutions approved March 26, 1879, and the said persons so elected have qualified and acted as such Trustees in accordance with the provisions of the said charter.

Be it therefore resolved by the General Assembly of the State of Tennessee, That James Maynard of the Second Congressional District ; J. W. Caldwell, of the Second Congressional District, and Hal H. Haynes, of the First Congressional District, having, in conformity to law, been elected Trustees of the University of Tennessee by the Board of Trustees of said institution to supply the vacancies in said Board above mentiond, and they having qualified and acted as such Trustees up to

the present time, that said elections are hereby ratified and confirmed, and that the said persons be, and they are hereby, invested with full power and authority as trustees of said institution under its charter and all succeeding laws of this State.

Adopted March 16, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approval March 19, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 23.

Be it resolved by the Senate and House of Representatives, That the Senate meet the House in joint convention on Tuesday, March 30, at 11 o'clock a.m., and immediately go into the election of Secretary of State, Comptroller and Treasurer, in the order named.

Adopted March 20, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 29, 1897.

ROBT. L. TAYLOR,

Governor.

NUMBER 24.

WHEREAS, Senate Joint Resolution No. 21 directed that the Board of Prison Commissioners should grade and macadamize the road leading from the Lebanon turnpike to the Confederate Soldiers' Home and the Hermitage, with any convicts not otherwise employed ; and,

WHEREAS, The said board has viewed said road, and report that they will be forced to have some picks, drills, hammers, shovels, a railroad plow and dynamite, to accomplish said work, the State owning none of said articles that are not in use in work being done at the new penitentiary ; and,

WHEREAS, The tools to be purchased will belong to the State on completion of said road, and are now and will be hereafter needed by the State ; therefore,

Be it resolved by the Senate and House of Representatives of the State of Tennessee, That two hundred dollars, or as much thereof as may be necessary, be and the same is hereby appropriated to purchase said articles, and the same shall be included in the general appropriation bill.

Adopted March 26, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 29, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 25.

Be it resolved by the Senate, the House concurring,
That the Secretary of State be, and he is hereby directed and instructed to have all bills of a general nature which were passed at this session of the General Assembly, printed in the first part of the Acts, with an index thereto, and all local bills shall be printed in the latter part of the Acts, with an index to same.

Adopted March 24, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 30, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 26.

Be it resolved by the General Assembly of the State of Tennessee, That the sum of thirteen thousand five hundred dollars, or so much thereof as may be necessary, be appropriated out of the penitentiary fund, if there be any money to the credit of such fund, and if there be no money to the credit of said fund, then to be paid out of any money in the treasury not otherwise appropriated, for the purpose of completing the coke ovens at the Brushy Mountain coal mines, and that only such portions of said amount be used as is absolutely necessary for that purpose.

The Comptroller is hereby authorized to draw his

warrant for said sum, thirteen thousand five hundred dollars, which sum shall be included in the general appropriation.

Be it further resolved, That the Board of prison Commissioners is hereby authorized, empowered and instructed to proceed at once with the work to complete said ovens, and use convict labor as far as practicable.

Adopted March 26, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved March 30, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 27.

Be it resolved by the Senate, the House concurring,
That the use of the Senate chamber be extended the
“American Association of State Weather Services” for
the purpose of holding their annual meeting, which is
to convene in the city of Nashville, October 8 and 9,
1897.

Adopted March 27, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 28.

WHEREAS, The joint committee appointed to investigate the books of the Comptroller and Treasurer recommended that the accounts of the Comptroller and Treasurer specifically show the expense of maintenance and the earnings from convicts, and that the balance to the credit of the new penitentiary fund be at all times apparent ; and,

WHEREAS, The Penitentiary Investigating Committee reports that \$99,324.67 of the new penitentiary fund has been expended at Brushy Mountain in the maintenance of convicts and equipping and operating the coal mines, which expenditure should have been paid from the general fund, or should be restored to the new penitentiary fund. The same committee also reports that \$2,041.75 of the new penitentiary fund was erroneously credited to the general fund through a misunderstanding ; therefore,

Be it resolved by the General Assembly of Tennessee, That all amounts vouchered for the maintenance of convicts and the operation of the coal mines after January 1, 1897, be charged by the Comptroller and Treasurer to the maintenance of convicts account.

Be it further resolved, That all receipts from the earnings of convicts and sales of coal from convict labor, the sales of farm products, and all other receipts by the Prison Commissioners after January 1, 1897, be credited to maintenance of convicts account.

Be it further resolved, That the aforesaid sums of \$99,324.67 and \$2,041.75, be transferred from the general fund in the treasury to the credit of the new penitentiary fund, and that the comptroller draw his warrant, and the Treasurer make the transfer of these amounts on his books to carry out this resolution.

Adopted April 3, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,

Governor.
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NUMBER 29.

WHEREAS, Creed F. Hobbs, a citizen of Hamblen County, Tenn., expended the sum of \$60.39 in the arrest and conveyance of one M. Sherman, a fugitive from justice, and \$30 as compensation for five days services in making the arrest and conveying the said Sherman from the State of North Carolina to Morristown, Hamblen County, Tenn., upon a requisition of Peter Turney, Governor of Tennessee, made on the Governor of North Carolina, which said sum of \$70 the said Hobbs is entitled to have paid him out of the Treasury of the State; now, therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the sum of seventy (\$70) dollars be paid to Creed F. Hobbs out of the State Treasury, as expenses and compensation for the arrest of M. Sherman, a fugitive from justice, and that the Comptroller be authorized and directed to draw his warrant in favor of the said Hobbs for the said amount of seventy (\$70) dollars.

Adopted April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 30.

WHEREAS, it has been ordered by the Senate Joint Resolution No. 21 that the Board of Prison Commissioners repair the road leading to the Hermitage; and,

WHEREAS, the approaches leading to our State Centennial are in such miserable condition that the county and district authorities cannot complete the work by May 1, with means at hand, therefore,

Be it resolved, That Senate Joint Resolution No. 21 be so amended that said Commissioners be empowered to aid in the completion of said approaches on or before May 1, with such labor as is not employed, and that the convicts be fed and guarded by parties benefited.

Adopted April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 31.

WHEREAS, It is to the interest of the State to discontinue the old penitentiary in Nashville as soon as practicable, and dispose of the property, and that the Prison Commissioners ascertain the value of said property and report to the next Legislature ; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the old penitentiary in Nashville be abandoned as a prison as soon as practicable, and that all the State's property situated thereat, including the material in the buildings and surrounding wall, that can be utilized profitably, be used in equipping the new prison and appurtenances ; and the balance, if any, sold by the Board of Prison Commissioners to the best advantage possible.

Be it further resolved, That the real estate where the old penitentiary is now situated, after the same has been cleaned off by the Prison Commissioners, be divided into lots, and the Commissioners will take bids for the said real estate both by lots and as a whole, and make report to the next General Assembly, the best price that can be realized for said real estate.

Adopted April 9, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 32.

WHEREAS, There are in the hands of the treasurer of the Eastern Hospital for the Insane a number of bonds, county warrants and other securities, taken in payment of dues for inmates from various counties which are greatly in debt ; and,

WHEREAS, These securities are of long standing, and it is not probable that the counties will be able to pay them for a considerable length of time, and the institution is in need of funds represented by these securities ; therefore,

Be it resolved by the Senate and House of Representatives, That the trustees and treasurer and superintendent of this institution be, and are hereby authorized to sell such securities now on hand to the best possible advantage, at a price not less than eighty per cent. of their face value, and to appropriate the proceeds thereof to the general expenses of the institution.

Adopted April 8, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 33.

Resolved by the Senate and House of Representatives, That the Attorney-General for the State be authorized and directed to take such steps as may be necessary to ascertain the rights of the State of Tennessee

to the real estate in Shelby County, Tennessee, bought by Thomas R. Smith, deceased, as agent for the State, in 1869, from W. A. Hill, Receiver of the Tennessee National Bank, and to enter an appearance for the State in any suit in law or equity in this State to get possession of the land or quiet the title to the same.

Adopted April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 34.

WHEREAS, The appropriation bill fails to make an adequate appropriation to cover the publication of the laws passed by this General Assembly; therefore,

Be it resolved by the Senate and House of Representatives, That the Comptroller be, and is hereby, directed to issue his warrant upon an itemized statement by the Secretary of State of the expense in publishing the laws in newspapers, and that the Treasurer pay the same out of any funds not otherwise appropriated.

Adopted April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 35.

Be it resolved by the General Assembly of the State of Tennessee, That the Governor of the State, the Treasurer of the State, and the Comptroller of the State, who compose the State Funding Board, be and they are hereby authorized to borrow, at the best rate of interest obtainable, any sum or sums of money that shall, in their opinion, be necessary to pay the interest on the State debt, or to meet other liabilities that cannot be otherwise provided for.

Adopted April 10, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 10, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 36.

WHEREAS, The bill passed by this General Assembly, putting the attorneys-general of the State on salaries, provided for four assistants on salaries of twelve hundred dollars each per annum ; and,

WHEREAS, The appropriation bill, as passed, did not provide for the payment of their salaries ; therefore,

Be it resolved that the Senate, the House concurring, Hereby authorizes and instructs the Comptroller of the State to draw his warrant on the Treasurer for their

monthly salaries of one hundred dollars each for the ensuing two years.

Be it further resolved, That the following amounts be appropriated, the same being omitted from the general appropriation bill: Amount due D. B. Cooper, \$18; Ellis Day, witness fees before Penitentiary Investigating Committee, \$7.70; Elections Committee, Governor's contest, \$8.55; Jake Young, services in Dubose impeachment trial, \$197.30; Alfred Whitley, House porter, one day, April 29, 1897, \$2.50.

Adopted April 30, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 37.

Be it resolved by the General Assembly of the State of Tennessee, That the necessary traveling expenses of the Funding Board shall be paid out of any funds in the treasury not otherwise appropriated, in accordance with the funding act of 1883.

Adopted April 30, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.
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NUMBER 38.

Be it resolved by the Senate; the House concurring,
That the Fiftieth General Assembly stand adjourned at
5:30 o'clock p.m., Saturday, May 1, 1897.

Adopted April 30, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved May 1, 1897.

ROBT. L. TAYLOR,
Governor.

House Joint Resolutions.

HOUSE JOINT RESOLUTIONS.

NUMBER 1.

Be it resolved by the General Assembly of the State of Tennessee, That both houses meet in joint session, in the House of Representatives, on Tuesday, January 19, 1897, at 10 a.m., for the purpose of comparing and counting the vote for Governor of the State.

Adopted January 7, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House.

Received and approved January 18, 1897.

P. TURNEY,
Governor.

NUMBER 2.

Be it resolved by the General Assembly of the State of Tennessee, That a committee of five members, three on part of the House and two on part of the Senate, be appointed by the respective speakers of the two houses to make an examina-

tion of the office of Secretary of State and report the results of their investigation and the condition of his office to this General Assembly as early as possible.

Adopted January 7, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House.

Received and approved January 13, 1897.

P. TURNEY,
Governor.

NUMBER 3.

Whereas, All men are born "free and equal" and are "endowed with the inalienable rights of life, liberty and the pursuit of happiness" and governments which are destructive of those rights are subversive of the welfare and happiness of the governed; and,

Whereas, Such rights and liberties are denied to the people of Cuba by the policy of the Spanish Government; and,

Whereas, The sympathies of the American people are going out to the insurgents in Cuba in their demands and struggles for the recognition of those rights; and,

Whereas, The people of Tennessee entertain for the Insurgents in Cuba, sympathy and heartiest wishes for their success in their struggle for liberty and the recognition of their rights, and censure the cruelty of the Spanish leaders and the barbaric method of the Spanish Government in waging the war now in progress in Cuba as being shocking to the feelings of a Christian civilization and antagonistic to the spirit of our free institutions; and,

Whereas, The rights and commercial interests of the citizens of the United States are jeopardized and their property endangered by the continuance of the war in Cuba on the plans now pursued by the Spanish Government; therefore,

Be it resolved by the House of Representatives of the State of Tennessee, the Senate concurring: 1. That we believe the insurgents entitled to those rights and sympathize with the insur-

gents in Cuba in their struggles for liberty and independence; and, 2. That we consider the rights and property of citizens of the United States endangered by the method of warfare and the policy of the Spanish Government; 3. that we earnestly petition and urge the Congress of the United States to immediately adopt such measures as will secure the rights and commercial interests of the citizens of the United States and people of Cuba ,and take such steps as will express the disapproval of the Government of the United States of the cruel and barbarous method of warfare which has been adopted and is now being pursued by the Spanish Government, and such further steps as will put an end to the cruel and barbarous sacrifice of human life in Cuba and bring to an end speedily the war which is being waged there; and, 4. That a copy of these Joint Resolutions be sent to the Congress of the United States now in session at Washington.

Adopted February 1, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 4, 1897.

ROBT. L. TAYLOR.
Governor.

NUMBER 4.

Be it resolved by the General Assembly of the State of Tennessee, That Senate Joint Resolution No. 1, appointing a committee to investigate the books and accounts of the Treasurer and Comptroller be so amended so as to:

1. Authorize and direct such committee to ascertain by correspondence or otherwise with clerks and other collecting officers of the State, asking them for itemized statements, showing the exact amounts due, and probable amount due July 1, 1897, from the State in each of the counties to attorneys-general, clerks, sheriffs, jailers, juries, justices of the peace and other officers, including constables witnesses and

amount due supreme court clerk's offices and report the same. Provided the information sought, is not already in the possession of the Treasurer or Comptroller.

2. To ascertain and report whether the interest on school fund due and payable January 1, 1897, has been paid.

3. What will be the probable expense of the present session of the General Assembly.

4. To ascertain and report what will be the probable total expenditures of the State on all accounts for the first half of the year 1897, including the interest to be paid on the State debt and school fund July 1, 1897.

5. What will be the probable cash receipts for the State from all sources for the first half of the year 1897.

6. Whether there will be a deficit in the State Treasury on or before July 1, 1897, and if so, how much, giving as near as possible the condition of the State Treasury July 1, 1897.

Adopted January 11, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House.

Received and approved January 14, 1897.

P. TURNEY,
Governor.

NUMBER 5.

Resolved, That a joint committee, consisting of two members of the Senate and three from the House be appointed for the purpose of examining the books in the library, with a view of ascertaining what works are needed and should be procured for said library. Also, that they report upon the advisability of transferring the Codes of Tennessee from the office of Secretary of State to the library for the use of the members. And that they make in their report such recommendations touching the condition and usefulness of said library, as in

their opinion may be desirable. Said committee shall investigate and estimate amount required to frame the pictures now unframed in said library.

Adopted January 11, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House.

Received and approved January 14, 1897.

P. TURNER,
Governor.

NUMBER 6.

Be it resolved by the House of Representatives, the Senate concurring, That a committee composed of three on the part of the House and two on the part of the Senate be appointed by the speakers of the two houses for the purpose of investigating the State Board of Equalizers, its bills, accounts, assessments, its property and all other official Acts of said board and report to this Legislature.

Adopted January 12, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House.

Received and approved January 15, 1897.

P. TURNER,
Governor.

NUMBER 7.

Be it resolved by the General Assembly, That a committee of five members, three from the House and two from the Senate, be appointed by the respective speakers of the two houses, to examine the office of superintendent of the Capitol. Said committee is instructed to inquire into and ascertain what authority he has to select the seats for members of the General Assembly; and also ascertain whether or not, the superintendent of the Capitol has complied with the provisions of House Joint Resolution No. 7 of the second extra session of the 49th General Assembly. Said committee is directed to report to each House the result of its investigations as soon as practicable.

Adopted January 11, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House.

Received and approved January 14, 1897.

P. TURNEY,
Governor.

NUMBER 8.

Be it resolved by the Fiftieth General Assembly of the State of Tennessee, That a joint select committee of five, three from the House and two from the Senate, respectively, shall be appointed by the speakers thereof, whose duty it shall be to examine into the expenditures of the Department of the Bureau of Labor.

Adopted January 14, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House.

Approved January 15, 1897.

P. TURNEY,
Governor.

NUMBER 9.

1. *Be it resolved by the General Assembly of the State of Tennessee,* That the joint committee appointed under Senate Joint Resolution No. 1, to investigate the offices of State Treasurer and Comptroller, is hereby authorized and empowered to investigate the books, accounts and official conduct of any back tax attorney or revenue agent appointed under Chapter 120 of the Acts of 1895, or under any other Act, together with his reports, and his settlements and dealings with the Comptroller.

2. *Be it further resolved,* That it shall be the duty of said committee to make such investigation and report the result thereof, with reference to any back tax attorney or revenue agent concerning whom any member of the committee may deem an investigation important.

3. *Be it further resolved,* That in making its report with reference to any such agent or attorney, the committee shall show the total amount of taxes collected by him, the amount of costs, fees and commissions received or charged by him, and such other facts connected with the office or agency or growing out of the same, as may be deemed important by the committee or any member thereof.

4. *Be it further resolved,* That said committee shall have full authority to investigate and report concerning any matter connected with, or growing out of, the office of Treasurer or Comptroller, or the transactions and dealings of either the Treasurer or Comptroller with any of his subordinates, or with any other officer or agent now employed, or heretofore employed, in the collection or assessment of any kind of taxes in this State; *Provided*, however, that the committee shall not be required to investigate any matter, unless some member of the committee shall deem an investigation thereof important.

5. *Be it further resolved,* That in the course of any investigation under this resolution or any previous resolution, said committee, through its chairman or any other member thereof, shall have authority to issue subpoenas, to have witnesses summoned before it, and to require the production of any kind of documentary evidence, as fully as a court of record could.

6. *Be it further resolved,* That if said committee shall not have completed its investigations before a recess, it shall have

full authority to sit and continue its labors during the recess, until finished.

Adopted January 27, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

JOHN THOMPSON,
Speaker of the Senate.

Approved January 30, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 10.

Be it resolved by the House of Representatives of the Fiftieth General Assembly of Tennessee, the Senate concurring, That we extend an invitation to the Hon. W. J. Bryan, of Lincoln, Nebraska, to visit our Capitol and deliver an address, at such time as will best suit his convenience.

Be it further resolved, That a committee of three upon the part of the House, and a committee of two upon the part of the Senate, be appointed by the respective speakers to address a letter extending a cordial invitation to the Hon. W. J. Bryan to visit our Capitol and deliver an address.

Adopted January 19, 1897.

J. D. JOHNSON,
Speaker pro. tem. of the House.

JOHN THOMPSON,
Speaker of the Senate.

Approved January 22, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 11.

Be it resolved by the House of Representatives, the Senate concurring, That we accept the invitation of the Tennessee Centennial Company to visit the Centennial Grounds in a body, and fix the time for visiting said grounds at 3 o'clock next Tuesday afternoon, being January 19, 1897.

Adopted January 16, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House.

Approved January 18, 1897.

P. TURNEY,
Governor.

NUMBER 12.

Be it resolved by the House, the Senate concurring, That a joint committee of three on the part of the House and two upon the part of the Senate be appointed upon inaugural ceremonies and arrangements.

Be it further resolved, That the Governor elect, Robt. L. Taylor, be inaugurated on Thursday, the 21st day of January, 1897.

Be it further resolved, That for the foregoing purpose the two houses meet in joint convention Thursday, January 21, 1897, at 11 o'clock a.m.

Adopted January 19, 1897.

JOHN THOMPSON,
Speaker of the Senate.

J. D. JOHNSON,
Speaker pro. tem. of the House.

Approved January 20, 1897.

P. TURNEY,
Governor.

NUMBER 13.

Whereas, Attorneys-General having been put upon salaries and it seems the special motive of this Legislature is to reform the criminal costs of the State and to equalize the salaries of the officers thereof, and in some judicial circuits the Attorneys-General have been making out of the fees, perquisites or emoluments of their office much more than the salary now fixed by law, and in other much less, on account of the small circuits and light litigation; and,

Whereas, The work of the judges in Tennessee in said circuits is unequal; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the speakers of the two houses appoint a joint select committee of five, two from the Senate and three from the House, whose duty it shall be to investigate the work performed by each circuit and criminal judge and Attorney-General in Tennessee and to prepare and report a bill to both houses of this General Assembly so changing the judicial circuits as to equalize the work of judges and Attorneys-General in Tennessee, and that such bill be reported to both houses of this General Assembly at least twenty days before the adjournment thereof.

Adopted March 11, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 15, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 14.

Be it resolved by the House of Representatives of the Fifty-first General Assembly of the State of Tennessee, the Senate concurring, That the sum of five thousand (\$5,000) dollars or so much thereof as may be necessary, be inserted in the General Appropriation Bill as a fund to enable the State Board of Health to deal with Texas fever and other communicable diseases among animals, occurring within Tennessee, as the law now provides. Provided that before any of said amount is paid out the plans for the proper expenditure of the same be submitted to and approved by the Governor of the State.

Adopted January 21, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved January 29, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 15.

Whereas, Information has reached us of the death of Mrs. Isham G. Harris, wife of our beloved and distinguished Senator; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That its sympathies be and are hereby extended to the bereaved husband and family in their great loss.

Be it further resolved, That a copy of these resolutions be forwarded to our distinguished Senator, Isham G. Harris.

Adopted January 21, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

JOHN THOMPSON,
Speaker of the Senate.

Approved January 22, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 16.

Be it resolved by the General Assembly of the State of Tennessee, That the House and Senate meet in joint convention on Thursday, January 28, at 11 o'clock for the purpose of electing a State librarian for the next two years.

Adopted January 27, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved January 30, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 17.

Be it resolved by the Senate and the House of Representatives of the State of Tennessee, That the chief clerk of the House of Representatives and the chief clerk of the Senate are hereby instructed to confer with the chairman of the Printing Board, relative to the printing done by their respective houses and also to ascertain whether the printing is done according to contract; and,

Be it further resolved, That said public printer is further instructed to comply in the future with the Acts of 1895, Chapter 169, the same being the act to create a commission on printing, to define the duties of same, and to provide for the public printing in this State.

Adopted January 26, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved January 30, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 18.

Whereas, It is very important that the different visiting committees should have in their possession the printed reports of the several institutions they are to investigate; therefore,

Be it resolved, That the public printer be notified by the chairman of the printing committee to print said reports or enough of said reports at the earliest date possible to supply copies to the visiting committees according to Act 1895, Chapter 169.

Adopted January 29, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 3, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 19.

Be it resolved by the General Assembly of the State of Tennessee, That the two houses meet in joint convention in the hall of the House of Representatives at the hour of 12 o'clock m., Monday, February 1, 1897, for the purpose of electing a register of the land office at Knoxville, Tennessee, made vacant by the death of W. T. Jones, who was elected to that position on January 21, 1895.

Adopted January 29, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 3, 1897.

ROBT. L. TAYLOR,

Governor.

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, NUMBER 20.

Be it resolved by the General Assembly of the State of Tennessee, That the visiting sub-committees of the two houses on charitable institutions when appointed by the chairman of said committees shall in addition to the duties naturally devolving upon it be instructed to look into and ascertain as to the number of deaths occurring within said institutions during the past two years, the cause of same, the general prevalence of diseases communicable and otherwise, and what facilities if any, are possessed by any or all of the said institutions, for the isolation of communicable diseases and the restriction and prevention of the same, together with all other data of like character, which may be necessary to a thorough knowledge of the general health conditions of these institutions. Also, said committee shall look into and ascertain the condition of the water supply, water closets, slaughterhouses and any and all out houses of like character connected with any or all of the aforementioned institutions.

Be it resolved, That the chairman of said committees shall appoint two or more physicians from the General Assembly to carry out the sanitary provisions of this resolution.

Adopted February 1, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 4, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 21.

Whereas, There has come to this body the sad intelligence of the serious illness of the Hon. Isam G. Harris, Sr., Senator, from Tennessee; and,

Whereas, The said Senator during a long life of public service, has under all circumstances acquitted himself with the highest honor and credit to himself and his State; therefore,

Be it resolved by the House of Representatives, the Senate concurring, That we extend to him, in this, the critical hour of his illness, our profound and heartfelt sympathy, and hereby express the hope that he may speedily recover.

Be it further resolved, That these resolutions be spread upon the Journal of the House of Representatives and Senate of the Fiftieth General Assembly of Tennessee.

Adopted February 2, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 6, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 22.

Be it resolved by the House of Representatives of the State of Tennessee, the Senate concurring, That the chairman of the Committee on Charitable Institutions, be and is hereby authorized to employ the services of a stenographer to assist in the investigation of the various charitable institutions in the State.

Be it further resolved, That the said stenographer be compensated at the rate of four dollars per diem and expenses for

such services, the same to be included in the general appropriation bill.

Adopted February 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 12, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 23.

Be it resolved by the General Assembly of the State of Tennessee, That the respective Chairman of the Committees of Finance Ways and Means of the House and Senate be, and they are hereby authorized to appoint a joint sub-committee from their respective committees consisting of two members from the Senate and three from the House, exclusive of the chairman of the respective committees, who are authorized to sit during the recess of this General Assembly to consider the assessment and revenue bills; also to employ a typewriter whenever deemed actually necessary, at a sum not to exceed \$4.00 per day. In the event the chairman of said committees or any one appointed by them cannot attend, the chairman shall have the power to appoint substitutes from their respective committees.

Adopted February 9, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 12, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 24.

Whereas, It is very important to the interest of the State of Tennessee, that the General Assembly adjourn so as to give the visiting committees from the Assembly time to perform their work, which is of the greatest importance to future legislation at this session; therefore,

Be it resolved by the House of Representatives, the Senate concurring, That the General Assembly take a recess, beginning February 12, 1897, at 4 o'clock p.m., and ending March 8, 1897, at 11 o'clock a.m.; *Provided,* the visiting committees be limited to eighteen days in the performance of their duties.

Adopted February 9, 1897.

JOHN THOMPSON,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved February 11, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 25.

Whereas, The report of the committee, appointed to investigate the Bureau of Labor Office, recommended that the sum of \$491.70, which was the cost of printing the 1895 report, and was paid through error by the former commissioner, Hon. F. V. Clute, out of the fund allowed for the bureau; and,

Whereas, Said \$491.70 should have been paid out of the public printing fund; therefore,

Be it resolved by the General Assembly of the State of Tennessee, that the Comptroller of the State be authorized to

draw his warrant on the Treasurer of the State for the sum of \$491.70 in favor of the Bureau of Labor, and the same be included in the General Appropriation Bill.

Adopted March 26, 1897.

JOHN THOMPSQN,
Speaker of the Senate.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

Approved April 17, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 26.

Be it resolved by the Senate and House of Representatives,
That a committee of two from the House and one from the Senate be appointed by the respective speakers to investigate the office of the State Board of Health.

Adopted February 11, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 12, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 27.

Be it resolved by the General Assembly of the State of Tennessee, That the sergeant-at-arms of the House of Representatives of the State be and is hereby authorized and directed to remain at the State Capitol during the adjournment for a recess of the Legislature, commencing Friday, February 12, 1897, for the purpose of caring for the mail for members of the General Assembly and for the purpose of serving subpoenas and other processes for the committee appointed to examine the books of the Comptroller and Treasurer of the State, which committee is directed to sit during said recess.

Passed February 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved February 15, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 28.

Whereas, There are on deposit with the Fourth National Bank of this city, four hundred thousand (\$400,000) dollars of bonds of the State of Tennessee, constituting a part of the State debt; and,

Whereas, The law authorizing the deposit of said bonds has not been complied with, and the State has no sufficient guarantee that they will not be misappropriated; and,

Whereas, The said bonds have been lying in the vaults of said bank for twenty-four years without being refunded and

without having the coupons presented for payment, except from one to three on each bond; and,

Whereas, The only safeguard the State has, is the honesty of the Comptroller and the parties interested, the brown piece of paper in which they are wrapped containing only this memoranda: The within four hundred bonds of the State of Tennessee for one thousand dollars each, have been deposited by the Louisville and Nashville Railroad Company in pursuance of an Act of the Legislature; entitled, An Act to authorize the Railroad Commissioners to receive the balance due on the purchase of the Memphis, Clarksville & Louisville Railroad, approved 30th of March, 1872, and are to be withdrawn only upon the joint application of said company and the Comptroller of the State, and upon the production of the certificate given for their deposit; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That a committee of three, two from the House and one from the Senate be appointed by the respective speakers, be appointed immediately to investigate the status of said bonds, and report to this General Assembly at the earliest day possible such action as may be necessary to fully protect the rights and interests of the State in the premises.

Adopted March 9, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 13, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 29.

Whereas, There is a very considerable improvement noticeable in the appearance of the Capitol; and,

Whereas, Gov. Robt. L. Taylor has personally superintended and directed the cleaning of the building; therefore,

Be it resolved by the House of Representatives, the Senate concurring, That the thanks of the General Assembly be ten-

dered Governor Taylor for the neat and cleanly appearance in which he has placed the Capitol.

Be it further resolved, That the thanks of the General Assembly are due the superintendent of the Capitol for the faithful execution of the work under the direction of Governor Taylor.

Adopted March 10, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 30.

Be it resolved by the General Assembly of the State of Tennessee, That the Comptroller of the State be and is hereby authorized, empowered and directed to draw his warrant upon the State Treasury in favor of the East Tennessee Land Company and others for such amounts as are shown to be due by the report of the Governor and Attorney-General of the State for the balance due from the State in payment for the property known as the Brushy Mountain Coal Lands. Said sum or sums to be paid out of the Penitentiary fund if there is any money to the credit of said fund, and if there is no money to the credit of said fund, then to be paid out of any fund not otherwise appropriated, and the amount or amounts so paid to be included in the general appropriation bill.

Adopted March 13, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 15, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 31.

Whereas, The unspeakable Turk has been the foe of civilization and humanity in Europe for centuries, whose atrocious cruelty has continually shocked the moral sense of the world; and,

Whereas, The recent Armenian massacres have been without a parallel for wholesale and official butchery of men, women and children; and,

Whereas, The people of the little island of Crete are now seeking to throw off the Turkish yoke and be joined to Greece, to whom they belong by nationality; and,

Whereas, noble little Greece is making a heroic effort, in the face of difficulties, to aid the Cretans; and,

Whereas, Americans resident in Turkey have been despoiled of property and held in prison, in defiance of treaty obligation; and,

Whereas, The sympathies of the people and Government of the United States are now and always have been with all people struggling for liberty; now, therefore,

Be it resolved by the Senate and House of Representatives, of the State of Tennessee, of the United States of America, That we respectfully but most earnestly urge the National Government to do all that it may do consistently with international law, and the established policy of the nation, to restrain the inhumanity and cruelty of the Turkish Government towards its Christian subjects, and that it extend to Greece and the Cretans all the sympathy and support it can in consistence with the established traditions of the nation.

Resolved further, That the Speaker of the Senate and Speaker of the House be requested to send a copy of these resolutions duly attested by them, to Hon. John Sherman, Secretary State of the United States with the request that he send a copy to the Government of Greece.

Adopted March 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 26, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 32.

Be it resolved by the General Assembly of the State of Tennessee, That the Committee on Finance, Ways and Means of the Senate and House of Representatives be and they are hereby directed to include in the general appropriation bill the sum of fifty (\$50) dollars per month, to be expended in the preservation and care of the twenty-five acres of the Hermitage tract, reserved out of that granted to the Confederate Soldier's Home by Chapter 180 of the Acts of 1889, including the dwelling and tomb of General Andrew Jackson, the said amount hereby appropriated to be expended under the direction and supervision of the Ladies' Hermitage Association.

Adopted March 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 24, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 33.

Be it resolved by the General Assembly of the State of Tennessee: 1. That the compromise made heretofore between the State of Tennessee and the Mobile and Ohio Railroad Company, be and the same is not disapproved or approved. 2. That the State Comptroller, the Secretary of State, and Attorney-General, be and they are hereby constituted a committee on behalf of the State to settle and adjust all matters of difference with said railroad company, and they are invested with full and ample powers to effect that end. The compromise if made shall be in writing, and duly executed by

both parties, and shall be approved by the Governor and State Treasurer, and shall be thereafter final and conclusive upon both parties. 3. In the event no adjustment or settlement of said matters shall be reached, the Attorney-General will proceed with such litigation against said company as will bring about an adjudication by the courts.

Adopted January 7, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 10, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 34.

Be it resolved by the House of Representatives, the Senate concurring, That the sum of three hundred (\$300) dollars or so much thereof as may be necessary, be appropriated out of any fund in the State Treasury not otherwise appropriated for the purpose of painting the statues on the four sides of the building and painting the iron railing around the building and to repair the roof of the Capitol, and that the same be included in the general appropriation bill provided all accounts to be paid on proper affidavit being made.

Adopted April 1, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 35.

Be it resolved by the General Assembly of the State of Tennessee, That the Comptroller of the Treasury be and is hereby authorized and directed to draw his warrant against the general fund of the Treasury in favor of the Penitentiary Commissioners for the sum of \$36,867.14 and have the same placed to their credit.

Adopted March 25, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 26, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 36.

Resolved by the General Assembly of the State of Tennessee, That a committee of three from the House and two from the Senate be appointed by their respective speakers, with instruction to draft the general appropriation bill and report the same back to the two houses at the earliest practical moment.

Adopted March 25, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved March 30, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 37.

Whereas, W. H. Waterson, clerk and master of the chancery court of Hawkins County, paid into the State Treasury on the 24th day of November, 1891, the sum of \$139.60 arising from the sale of real estate belonging to the estate of William Alexander, deceased. Said Waterson claimed that the said amount had not been called for by the administrator of said deceased, which fund was hurriedly turned into the State Treasury on account of ill feeling on part of the clerk. Now Alexander Smith is the administrator of said estate and entitled to said fund; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the Comptroller issue his warrant upon the Treasurer for said amount to the clerk and master of the chancery court of Hawkins County to be held subject to the order of said court, and that the same be paid out of any money in the Treasury not otherwise appropriated and the same to be included in the general appropriation bill.

Adopted April 9, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 38.

Whereas, The State Board of Health has to the credit of the Chairman of its Finance Committee at the Fourth National Bank, of Nashville, the sum of \$857.51, being the amount so far paid by the Safe Deposit Trust and Banking Company, on a deposit of \$1,143.34. There is no check on

the board in its expenditure of this sum and since the board is amply provided for by appropriation; therefore,

Be it resolved by the House of Representatives, the Senate concurring, That the State Board of Health be and is hereby instructed to turn over to the Treasurer of the State for the use of the State, all money now to its credit in the Fourth National Bank or that may hereafter be paid to said board on the deposit made with the Safe Deposit Trust and Banking Company.

Adopted March 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 39.

Be it resolved by the Fiftieth General Assembly, That the Comptroller be and is hereby directed to draw his warrant upon the Treasurer for the sum of \$10,951.12 in favor of Fulcher & Co., in full settlement of all legal and equitable claims against the State as contemplated by Section 22, Chapter 7 of the Acts of first extra session of 1895, and that said amount be included in the general appropriation bill.

Adopted April 5, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 7, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 40.

Whereas, This session of the Legislature is fast drawing to a close; and,

Whereas, The experts employed to investigate the offices of Comptroller and Treasurer and have not yet completed their labor; and,

Whereas, It is the desire of the General Assembly to have their full report before the day of adjournment; therefore,

Be it resolved by the House of Representatives, the Senate concurring, That said experts complete said investigation by April 7, 1897, and the investigating committee submit their report to the General Assembly by April 8, 1897.

Adopted April 5, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 10, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 41.

Be it resolved by the General Assembly of the State of Tennessee, That the course of Hon. Wm. McKinley, President of the United States, in recommending the appropriation by Congress for the flood sufferers in Tennessee and other States, and the action of Congress in making said appropriation, demand and are given our most unqualified approval, and the gratitude of our suffering people are hereby tendered through this General Assembly, to the President and the Congress of the United States.

Adopted April 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 29, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 42.

Be it resolved by the General Assembly, That the State funding board is hereby authorized and directed to receive and cancel the four hundred \$1,000 bonds of the State of Tennessee with coupons attached now on deposit at the Fourth National Bank, Nashville, Tenn., payable to the Louisville and Nashville Railroad Company, and in lieu of said bonds the State funding board is authorized and directed to issue to the L. & N. R. R. Co., an indemnity bond subject to the same conditions under which these bonds are now held, provided the Louisville and Nashville Railroad Company, agrees to release the above bonds and receive instead the indemnity bond.

Adopted April 10, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 43.

Whereas, This House has learned with regret of the illness of our beloved Governor, Robt. L. Taylor; therefore,

Be it resolved by the House of Representatives, the Senate concurring, That the sympathy of this body be extended to our beloved Governor Taylor with the hope, that he who watches the fall of the sparrow will soon restore him to health.

Be it further resolved, That a copy of these resolutions be transmitted to the Governor by the clerk of this House.

Adopted April 10, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Returned to the House by the Governor without his signature, more than five days after presentation to him, and allowed to become a law by lapse of time.

REAU E. FOLK,
Clerk of the House.

May 1, 1897.

NUMBER 44.

Be it resolved by the General Assembly of the State of Tennessee, That the use of the Capitol is hereby tendered to the Daughters and Sons of Confederate Veterans for the entertainment of the Confederate Veterans during the reunion on the 22nd and 23rd of June.

Adopted April 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 45.

Be it resolved by the General Assembly of the State of Tennessee, That the Comptroller be and is hereby directed to at once have the revenue and assessment bills passed by the present General Assembly printed in pamphlet form for the individual use of the county clerks and trustees of the various counties of the State and the cost of the same be paid out of the appropriation made for public printing the account for same to be audited by the Board of Printing Commissioners.

Adopted April 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 46.

Whereas, The Governor has to-day approved a great many laws which the statutes require that the Secretary of State shall have published in one newspaper in each grand division of the State in five days; and,

Whereas, It is impossible for the Secretary of State with his present force to have the Acts prepared within that time; therefore,

Be it resolved, That the sum of seventy-five dollars or so much thereof as may be necessary be and the same is hereby appropriated for the purpose of having these laws prepared for publication and the Comptroller is hereby directed to issue his warrant upon an itemized statement from the Secretary of State for any amount not to exceed said sum.

Adopted April 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved April 30, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 47.

Whereas, Miss Nora Lee, Engrossing Clerk of the House, has worked 12 days during the recess in engrossing the assessment bill, the revenue bill, the Estes fee bill, and numerous other House bills, all of which were passed on the eve of the recess, so that she was under the absolute necessity of engrossing them during the recess; and,

Whereas, Miss Mamie Tausil, Engrossing Clerk of the Senate, worked seven days during the recess engrossing various

Senate bills, passed on the eve of the recess so that she was under the necessity of engrossing them during the recess; and,

Whereas, Andrew Muirhead, one of the House porters, worked four days as porter, the compensation for which was omitted from the appropriation bill; and,

Whereas, Sylvanus Martin, one of the House porters, worked one day during the recess in preparing the hall for the re-assembling of the House; now, therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the following are justly owing to said parties, respectively, and that the Comptroller be and he is hereby directed to draw his warrant in favor of the following persons for the following amounts: To Miss Nora Lee for \$72. To Miss Mamie Tansil for \$42. To Andrew Muirhead for \$10. To Sylvanus Martin for \$2.50.

Adopted April 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved May 1, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 48.

Be it resolved by the General Assembly of the State of Tennessee, That \$8.00 is hereby appropriated to pay John R. Cothran for two day's service during the recess as chairman of the committee on enrolled bills and that the Comptroller is hereby instructed to draw his warrant on the Treasurer for said amount.

Adopted April 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved May 1, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 49.

Whereas, The State of Tennessee has no official flag;
Be it resolved, That the flag of the State of Tennessee shall be as follows and according to the following description: The colors to be employed in its construction except as herein provided, shall be red, blue and white, so shaped by diagonal lines as to represent the geological lines of the State. Its dimensions shall be regulated in the ratio of four to six that is to say, its width shall be two-thirds of its length. The dimension of the three colors employed shall be governed by a diagonal line drawn from the upper corner to the lower corner through the center and at right angles to the diagonal lines of said colors employed in its construction and the width of the three colors measured on said lines so drawn shall be equal. The figure 16 shall be on the white field and shall be made blue in color. The words "The Volunteer State" shall be placed diagonally on the blue field and of yellow or gold letters.

Adopted April 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved May 1, 1897.

ROBT. L. TAYLOR,
Governor.

NUMBER 50.

Be it resolved by the House of Representatives, the Senate concurring, That the sum of one hundred and twenty dollars (\$120) be paid to James Hayes for porter service from the first of March to the first of May, 1897, 60 days at \$2.00 per day.

Be it further resolved, That the Comptroller be directed to draw his warrant in favor of said James Hayes for above amount.

Be it further resolved, That for one days services, April 29, 1897, Tom Davis be paid \$2.50.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

JOHN THOMPSON,
Speaker of the Senate.

Approved May 1, 1897.

ROBT. L. TAYLOR.
Governor.

Senate Resolutions.

SENATE RESOLUTIONS.

NUMBER 1.

Be it resolved by the Senate, That the assistant clerk, be, and he is hereby authorized to prepare a roster of the Senate, and to have two hundred copies of the same printed for the use of the Senate.

Adopted January 7, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 2.

Be it resolved by the Senate, That the Comptroller be, and he is hereby authorized to draw his warrant on the Treasurer for the sum of twenty-seven (\$27.50) dollars and fifty cents in favor of Podge Pillow, Senate porter, for eleven (11) days, preparing the Senate Chamber prior to the organization and during the organization of the Senate, and in favor of Richard Burnley, Senate porter, for seventeen dollars and fifty cents for similar services for seven (7) days.

Be it further resolved, That the same be included in the general appropriation bill.

Adopted January 7, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 3.

Resolved by the Senate, That the sergeant-at-arms be, and he is hereby authorized to draw upon the State Treasurer five (\$5.00) dollars in cash for each member of the Senate, for the purpose of buying postage stamps, which amount the Treasurer is hereby authorized to furnish, and that the same be included in the general appropriation bill.

Adopted January 11, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 4.

Resolved by the Senate, That the Speaker of the Senate be, and he is hereby authorized, and directed to appoint in his discretion an assistant engrossing clerk for the Senate when the business of the Senate in his opinion requires it.

Adopted January 12, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 5.

Be it resolved by the Senate of the State of Tennessee, That the committees of the Senate are directed to fix a regular time and place to meet.

Resolved further, that the sergeant-at-arms of the Senate is

directed to procure a blackboard, and place it prominently at a conspicuous place in the Senate Chamber.

Resolved further, That the chairman of each committee when he calls a special meeting shall cause the time and place of said meeting to be designated upon said blackboard before twelve o'clock of that day; *Provided*, that if said special meeting is called to meet before twelve o'clock the notice shall be placed upon the blackboard before ten o'clock, and the meeting held between ten o'clock and twelve o'clock; *Provided*, further, the chairman may call a special meeting by making announcement of time and place in open session of the Senate.

Adopted January 28, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 6.

Be it resolved by the Senate of the State of Tennessee, That the Secretary of State be, and he is hereby directed to procure for the use of the State library two copies, each in one volume of Shannon's compilation of the statutes of Tennessee, and two copies of Anderson's Constitutional Law of Tennessee, and that the cost of same be, and is hereby appropriated out of any funds belonging to the State of Tennessee, not otherwise appropriated.

Adopted January 28, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 7.

Whereas, It is the practice of the employees of the Capitol building to clean up and mop off with water the halls of the

building in the morning and thereby endanger the health of the members of the General Assembly from inhaling damp atmosphere; therefore,

Be it resolved by the Senate, That the superintendent of the Capitol be, and is hereby requested not to have the hall in front of the Senate Chamber mopped off with water in the morning.

Adopted January 22, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 8.

Resolved by the Senate of the State of Tennessee, That the election of Lemuel Campbell and L. Rascoe by the trustees of the Tennessee School for the Blind to fill the vacancies in the board occasioned by the death of the late Thompson Anderson, and the resignation of George W. Smith, be, and the same are hereby confirmed.

Adopted February 2, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 9.

Whereas, It is contemplated that a recess will be taken by the General Assembly.

Whereas, During said recess it is necessary that the Senate have some one to look after the mail of the members and to keep in condition the Senate Chamber, etc.; therefore,

Be it resolved, That the sergeant-at-arms of the Senate, or some one selected by him, and one porter shall remain at the

Senate Chamber to do and perform the duties now imposed on them, and such other duties as may be demanded of them by special joint Committee on Finance, Ways and Means, in session during said recess.

Adopted February 11, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 10.

Resolved by the Senate, That the sergeant-at-arms be, and he is hereby directed to purchase a filter for the water cooler in the Senate Chamber, and the cost of same be included in the general appropriation bill.

Adopted March 12, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 11.

Whereas, At the close of the session, the members of the Senate are put to great inconvenience and worry by letters of inquiry regarding the disposition of bills; therefore,

Be it resolved by the Senate, That the chief clerk of the Senate be, and he is hereby directed, and instructed to have prepared a final calendar showing the disposition of all bills, and the date of passage, and approval of those passed, and signed, and that two hundred copies be printed and pro rated among the members of the Senate.

Adopted March 24, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 12.

Be it resolved by the Senate of the Fiftieth General Assembly of the State of Tennessee, That the sergeant-at-arms of the Senate procure suitable electric lights for the Senate Chamber at once so as to enable the Senate to hold night sessions.

Adopted March 25, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 13.

Be it resolved by the Senate, That when the conference committee, appointed to settle the differences between the Senate and House on the Railroad Commission Bill shall agree on a report, their report shall not be acted upon by the Senate until twenty-four hours after their report is submitted. *Provided,* the Senate can act upon the report at once, if notice is given by the speaker in open Senate twenty-four hours in advance of the submission of the report.

Adopted March 26, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 14.

Resolved, That the clerk of the Senate have printed 30 copies of the report of the Penitentiary Investigating Committee, including report of the expert accountants.

Adopted March 27, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 15.

Be it resolved by the Senate, That the following order of business for the consideration of the appropriation bill, assessment bill, and revenue bill, is hereby established. The Senate shall first pass upon finally the appropriation bill, shall then take final action upon the assessment bill, and lastly shall consider the revenue bill.

Adopted March 31, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 16.

Resolved by the Senate of Tennessee, That permission be, and is hereby granted to the Sigma Alpha Epsilon Fraternity to use the Senate Chamber on the 1st, 2nd and 3rd of July, 1897, for the purpose of holding a convention.

Adopted April 5, 1897.

JOHN THOMPSON,
Speaker of the Senate.

NUMBER 17.

Resolved by the Senate of the Fiftieth General Assembly of the State of Tennessee, That the regular per diem \$2.50 each be allowed and paid to Martin Buford and Ned Wood for their services in preparing Senate Chamber on April 29, 1897, preparatory to the meeting of Senate on April 30, 1897, and that the State Treasurer to pay the said per diem out of any money in his hands not otherwise appropriated.

Adopted April 30, 1897.

JOHN THOMPSON,
Speaker of the Senate.

House Resolutions.

HOUSE RESOLUTIONS.

NUMBER 1.

Be it resolved, That the Speaker of the House be authorized to appoint (3) three porters for the use of the House during the session of the General Assembly. Their pay to be incorporated in the general appropriation bill; *Provided*, the pay of each shall be \$2.50 a day.

Adopted January 6, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 2.

Be it resolved by the House of Representatives of the Fiftieth General Assembly, That the Secretary of State be, and is hereby authorized to furnish the members paper, pens, ink and pencils and that the cost of same be included in the general appropriation bill.

Adopted January 7, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 3.

Resolved by the House of Representatives, That the Comptroller be, and is hereby authorized and instructed to draw his warrant in favor of Albert J. Ewing, assistant sergeant-at-arms of the House of the Forty-Ninth Assembly in the sum of \$32.00, for eight days services before and during the organization of the House.

Adopted January 22, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 4.

Be it resolved by the House of Representatives, That the speaker be, and is hereby authorized to appoint an assistant engrossing clerk, who shall enter upon the performance of her duties, whenever the Committee on Enrolled Bills consider an additional clerk necessary.

Adopted January 7, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 5.

Resolved, That the sergeant-at-arms be required to furnish each member of the House with \$5.00 worth of stamps, and that the amount be embraced in the appropriation bill.

Adopted January 7, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 6.

Be it resolved by the House of Representatives, That the speaker be, and is hereby authorized, to appoint a journal clerk, whose duty it shall be to write the journal of each day's proceedings, and that compensation therefor be included in the general appropriation bill. He shall enter upon his duties as soon as deemed necessary by the Speaker of the House.

Adopted January 7, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 7.

Whereas, The Constitution of the State, Article 2, Section 9, provides that no person shall be a representative of the General Assembly unless he shall be a citizen of the United States, of the age of twenty-one years, and shall have been a citizen of this State for three years, and a resident in the county he represents one year immediately preceding the election; and,

Whereas, Hon. J. M. H. Graham, of Montgomery County, had not been a citizen of Tennessee for three years, or a resident of Montgomery County for one year immediately preceding the last general election, held November 3, 1896, at which he was chosen a member of this body; therefore,

Be it resolved by the House of Representatives of the State of Tennessee, That J. M. H. Graham is not eligible to membership in this body, that his seat be declared vacant, and that the Governor be requested to order a new election for representative in Montgomery County.

Adopted January 20, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 8.

Resolved, That the sum of \$10.00 be paid to Scott Morris and the sum of \$10.00 be paid to Edd Birdsong for four days services as porters at the present session of the General Assembly; and that the same be included in the general appropriation bill.

Adopted January 7, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 9.

Whereas, Our worthy and efficient doorkeeper of the Forty-Ninth General Assembly, and the present appointee of this the Fiftieth General Assembly, received the sad news since he arrived here of the death of his mother; therefore,

Be it resolved by the House of Representatives, That we extend the sympathy of this body to him in this sad hour of bereavement to him.

Be it further resolved, That this resolution be spread upon the journal, and a copy be forwarded to his bereaved family.

Adopted January 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 10.

Whereas, This House has received information that since its last adjournment, Hon. Wilson M. Hammock, a former representative of this body from Trousdale, Sumner and Wil-

son Counties, departed this life on January 10, at Lebanon, Tenn.; and,

Whereas, This House is desirous of putting on record its appreciation of Judge Hammock's life and character; therefore,

Be it resolved, That Tennessee has lost by his death an able lawyer, an upright judge, a distinguished legislator and patriotic citizen, who has rendered invaluable services to his State and county.

Resolved further, That we join his kindred and personal friends in profoundly mourning his loss, and that these resolutions be spread on the journal of the House as a lasting token of our sorrow, and that a copy be mailed to his wife.

Adopted January 11, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 11.

Be it resolved by the House of Representatives, That the speaker notify the chairman of the several standing committees to have the hour said committee meets each day, and also the number of room it meets in, written on the blackboard at opposite sides of the House by 12.30 and 4 p.m., of each day, so the members may be informed on this subject.

Adopted January 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 12.

Be it resolved by the House of Representatives, That the clerk be directed to prepare a weekly calendar, showing the business of the House, the status of all bills and resolutions, by whom introduced, and the action of the House thereon, and to have same upon the desk of each member every Monday beginning January 18.

Adopted January 13, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 13.

Whereas, There are now pending before this House certain appropriation bills and in order that the members may intelligently act thereon; therefore,

Be it resolved by the House of Representatives, That the State Treasurer be, and is hereby requested to report to the House as soon as practicable the exact cash balance on hand in the treasury on January 18, 1897 at close of business and also report what amount belongs to the penitentiary fund, the direct tax fund and the general State fund.

Adopted January 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 14.

Be it resolved by the House of Representatives, That the Comptroller of the Treasury is hereby requested to report to this House the exact cash balance on hand in the treasury at the close of business on January 18, 1897, that the Penitentiary Commissioners are hereby requested to report to this House the condition of the penitentiary fund on January 18, 1897, and also report what items and amounts are in controversy relative to this fund; and that the State Treasurer is requested to report to this House whether he has refused to pay any State warrants or drafts on the State treasury and if so how much and why he refused to pay same, also report how much, if any, interest on the State debt is unpaid. The clerk of the House is hereby directed to notify the Comptroller, the Treasurer, and the Penitentiary Commissioners of the passage of this resolution and they are directed to report as soon as possible.

Adopted January 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 15.

Be it resolved by the House of Representatives of the Fifty-eighth General Assembly of the State of Tennessee, That the Printing Commissioners, composed of the Secretary of State, Treasurer and Comptroller, be instructed to report to the House, as soon as practicable, in compliance with the Acts of 1895, Chapter 169.

Adopted January 22, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 16.

Whereas, This House has heard with profound sorrow the death of the Hon. W. H. Waddell, a member of the Forty-Eighth and Forty-Ninth General Assembly, and we hereby extend to the family of deceased our heartfelt sympathy in this bereavement, and to Marion County, who honored him and was honored by him. We extend our condolence in the loss of an honest, upright citizen and an able legislator.

Adopted January 22, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House.

NUMBER 17.

Whereas, Much valuable time is lost to the House in considering local measures; therefore,

Be it resolved, That in the interest of economy the House meet hereafter on Wednesday nights of each week until otherwise ordered, for the purpose of considering such local measures as may come before it.

Adopted March 24, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 18.

Resolved by the House of Representatives, That it is its opinion that the criticism of Mr. Brandon, of Stewart, published

in the Memphis Commercial-Appeal of 27 inst., is unjust and that this House has implicit confidence in the honor and integrity of the gentleman therein criticised.

Adopted January 28, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 19.

Be it resolved by the House of Representatives, That the assistant clerk of the House be authorized to get up a roster of the members of the House, the cost of same to be included in the general appropriation bill.

Adopted January 28, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 20.

Whereas, Efficiency in the discharge of official duties and faithfulness to trusts imposed upon public officials deserve the highest commendation; and,

Whereas, Mrs. Irene Ingram, State librarian, and Miss Flora Kuhn, assistant librarian, have efficiently and faithfully performed their respective duties for the last two years; and,

Whereas, The reputation of Tennessee women for dignity, culture, refinement and beauty has been increased by these two worthy daughters of Tennessee; therefore,

Be it resolved, That the House of Representatives herein

express the highest appreciation and commendation of the official conduct of Mrs. Irene Ingram and Miss Flora Kuhn as librarian and assistant librarian for the last two years and also assure them they are held personally in the highest esteem by the members of the House of Representatives.

Adopted January 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 21.

Be it resolved by the House of Representatives of the Fiftieth General Assembly, That the Comptroller be instructed to draw his warrant on the Treasurer for the sum of ten dollars in favor of James Hayes for services as porter from September 1 to 7, and from September 26 to September the 30th, 1896; and that the same be included in the general appropriation bill.

Adopted February 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 22.

Be it resolved by the House of Representatives, That the sum of \$85.50 be appropriated for the payment of J. K. P. Williamson for work done and material furnished in the

House of Representatives the same be included in the general appropriation bill.

Adopted February 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 23.

Resolved, That the sergeant-at-arms be and he is hereby instructed to secure, if possible, the deliver of the mail of members of this House that arrives on the early morning at an earlier hour than eleven o'clock a.m. and to have it delivered as early as 9.30 a.m., if possible.

Adopted February 4, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 24.

Be it resolved by the House of Representatives, That they tender their respects and sympathy to Senator Isham G. Harris during his sickness and express hereby their gratitude at the possibility of his recovery.

Adopted February 8, 1897.

JOSEPH W. BYRNS,
Speaker pro. tem. of the House of Representatives.

NUMBER 25.

Be it resolved by the House of Representatives, That the Comptroller be, and he is hereby instructed, to draw his warrant in favor of A. J. Warren for \$50.00 in payment of five dozen chairs for the use of the House of Representatives.

Adopted March 13, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 26.

Be it resolved by the House of Representatives, That one of the present porters, to be designated by the Speaker, be authorized to remain in the hall during recess, under the direction of the sergeant-at-arms, who will be in charge of same.

Adopted February 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 27.

Whereas, The House has learned with heartfelt sorrow of the death of Hon. J. M. Gooch, of Rutherford County, who

was a member of the Forty-Eighth and Forty-Ninth General Assembly; therefore,

Be it resolved by the House of Representatives, That in the death of the Hon. J. M. Gooch, the State has lost an honorable and upright citizen, one who was a faithful representative of his people in former Legislatures, and we extend to his family and relatives our profound sympathies in this their sad bereavement.

Resolved, That this resolution be spread upon the journal of the House and a copy be furnished the family of the deceased.

Adopted March 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 28.

Whereas, Upon the re-assembling of the General Assembly, the House is apprised of the fact that one of its worthy, highly respective and popular members, the Hon. Isham G. Leabow, of Claiborne County, was married on the 28th ultimo; and,

Whereas, Mr. Leabow has just returned from his bridal trip to the inauguration of the President at Washington; now, therefore,

Be it resolved, That the House of Representatives tender their most hearty congratulations to Mr. Leabow and have spread upon the journal their best wishes for his happiness and success all along the matrimonial pathway.

Adopted March 9, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 29.

Whereas, All the proof consisting of about 178 depositions taken in the contested case of Locke vs. Sheidler, now pending before the committee on election of this House, was stolen on last Saturday night, March 6; and,

Whereas, It is important that the same be retaken as soon as possible; therefore,

Be it resolved by the House of Representatives, That said committee be and the same is hereby authorized and empowered to employ a stenographer in the retaking of said proof.

Adopted March 10, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 30.

Be it resolved by the House of Representatives of the State of Tennessee, That the most sincere thanks of this body, as representatives of the people at large, are hereby tendered the Hon. W. J. Bryan in consideration of the able, dignified, impartial and befitting address delivered in said House on the 11th inst.

Adopted March 12, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 31.

Resolved by the House of Representatives of the State of Tennessee, That the chairmen of the various committees of the House be, and they are hereby directed and required to send to the clerk of the House, written notices stating time and place of meetings of their committees, and the clerk shall read such notices immediately before the adjournment of the House next preceding such meetings.

Adopted March 13, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 32.

Whereas, The bad ventilation of the hall of the House is the cause of much discomfort and sickness to the members and officers of the House; and,

Whereas, The House recently appointed a committee to inquire into the matter of the electric lighting of the Capitol; therefore,

Be it resolved by the House of Representatives, That said committee be also charged with the duty of investigating the practicability and cost of ventilating the hall through the ceiling and roof.

Adopted March 15, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 33.

In memory of W. B. Dunbar.

Whereas, The death of the Hon. W. B. Dunbar, who was a member of the honorable body in 1891, is announced to have occurred on the 16th inst., near Cumberland City, Tennessee; and,

Whereas, The many substantial and excellent qualities possessed by Mr. Dunbar placed him ever in the front ranks in promoting the public [welfare] of his county and State; and,

Whereas, It is entirely proper that this body as representatives of the people, express their appreciation of true merit and worth when exhibited in such a remarkable degree by a lifelong citizen of our State; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That in the death of Mr. Dunbar, the State has lost one of its most worthy and useful citizens, a man of culture in the broadest sense, and yet a man of the soundest practical ability.

Be it further resolved, That the sincere sympathy of this body is hereby expressed in behalf of his family in this sad bereavement, and that a copy of these resolutions be mailed to his family by the clerk of the House.

Adopted March 18, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 34.

Whereas, It has pleased the supreme architect of human fortunes, to bereave our fellow member, the Hon. D. M. Johnson, of the County of Smith, in the death of his father on the 19th inst.

Whereas, In moments of affliction and sorrow, it is meet to extend our tribute of sympathy and condolence; therefore,

Be it resolved by the House of Representatives, That we extend to our fellow member, Mr. Johnson, in his deep sorrow and bereavement our truest sympathy, condolence, and that this resolution be spread upon the journal of this House as a lasting token of respect.

Adopted March 26, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 35.

Whereas, A petition has been presented from numerous disgruntled inmates of the Soldiers' Home are complaining of their present treatment which petition reflects on the present management of this institution; therefore,

Be it resolved by the House of Representatives, That the Committee on Charitable Institutions be instructed to at once look into the matter complained of and make report thereof at the earliest possible moment.

Adopted April 2, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 36.

Be it resolved by the House of Representatives, That the use of this hall be and the same is hereby tendered to the National Association of Air Brake Men for their national convention here on April 13, 1897.

Adopted April 6, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representative.

NUMBER 37.

Be it resolved by the General Assembly of Tennessee, That the use of the hall of the House of Representatives be tendered to the United Order of the Golden Cross, for the purpose of welcoming the Supreme Commandery to Tennessee on Tuesday evening, May 18, 1897.

Adopted April 7, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 38.

Be it resolved by the House of Representatives of the State of Tennessee, That the hall of Representatives is hereby granted to the National Conference of State Boards of Health for their annual session _____, 1897.

Adopted April 8, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 39.

Whereas, The Hon. W. A. Perry, of Madison, has been engrossed by the late engrossing clerk, of the House, Miss Carrie Jennings; and,

Whereas, They have been solemnly bound together in one

interesting volume to be placed in the library of life; therefore,

Be it resolved, That this House extend to the happy couple its most profound congratulations and trust that their lives may be embossed with every earthly bliss, and that they may be read by generations yet unborn.

Adopted April 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

NUMBER 40.

Whereas, Governor L. V. Stevens, the distinguished chief executive of the sister state of Missouri, is in the city in attendance upon the opening exercises of the Tennessee Centennial Exposition; therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Tennessee, That a committee of six on the part of this House be appointed to wait on Governor Stevens and ask that he visit the House at 2 o'clock p.m. this day.

Adopted April 30, 1897.

MORGAN C. FITZPATRICK,
Speaker of the House of Representatives.

STATE OF TENNESSEE,
OFFICE OF THE SECRETARY OF STATE, }
NASHVILLE, August 20, 1897.

I, Wm. S. MORGAN, Secretary of State of the State of Tennessee, do hereby certify that I have carefully collated the foregoing Acts and Resolutions with original copies on file in my office, and find them correctly printed.

Wm. S. MORGAN,
Secretary of State.

ERRATA.

Chapter 25, Section 1, beginning at the seventh line on page 152, read: Be and is hereby amended by adding after the words "or shall within four months from the passage of this Act so file such charter and abstracts of the same, in the first section of said Act the words or to such foreign corporations as in good faith," etc.

Chapter 71, Section 2, page 214, for the word "incorporated," in the seventh and eighth lines, read "unincorporated."

Foreign Corporations.

FOREIGN CORPORATIONS.

**Abstracts of Charters Filed Under Provision of Chapter
31, Acts of 1877, and Chapter 122, Acts of
1891, Amendatory Thereto.**

A

- Adam Ruth Grocery Company, St. Louis, Mo., March 12, 1894.
Adams, T. W., Machine Company, Corinth, Miss., May 21, 1896.
Addison Tinsley Tobacco Company, Louisiana, Mo., July 7, 1893.
Advance Thresher Company, Battle Creek, Mich., August 9, 1893.
Allentown Manufacturing Company, Allentown, Pa., January 30, 1893.
Alliance Trust Company, Kansas City, Mo., January 21, 1892.
Alliance Trust Company, Limited, Scotland, January, 18, 1895.
American Association, Incorporated, Middlesborough, Ky., April 18,
1895.
American Association, Limited, England, January 28, 1893.
American Central Insurance Company, Missouri, April 6, 1896.
American Casualty Insurance Company, of Baltimore City, Md., March
7, 1892.
American Cotton Oil Company, New Jersey, November, 29, 1889.
American B. & L. Association, Minneapolis, Minn., March 10, 1892.
American Bonding Trust Company, Baltimore City, Md., October 15,
1896.
American Biscuit Manufacturing Company, Chicago Ill., September 16,
1892.
American Fire Insurance Company, New York, August 2, 1893.
American Freehold Land Mortgage, of London, London, July 11, 1890.
American Employers Liability Insurance Company, Newark, N. J.,
July 27, 1893.
American Glucose Company, Camden, N. J., April 25, 1894.

- American Harrow Company, Detroit, Mich., January 26, 1894.
American Lead Pencil Company, New York, August 31, 1894.
American Mutual Benefit Society, Virginia, December 30, 1895.
American Savings Loan Association (amendment), Minneapolis, Minn.,
January 10, 1895.
American Skewer Company, Indiana, June 21, 1894.
American Surety Company, New York, March 28, 1894.
American Union Life Insurance Company, Newark, N. J., March 25,
1895.
American Wringer Company, Rhode Island, July 3, 1893.
Anheuser Busch Brewing Association, St. Louis, Mo., January 24,
1893.
Anderson County Mining & Manufacturing Company, Wisconsin,
March 28, 1895.
Anderson Tully Company, Michigan, January 13, 1892.
Armour Packing Company, Jersey City, May 1, 1893.
Ætna Insurance Company, Hartford, Conn., July 25, 1893.
Atlanta Accident Association, Atlanta, Ga., November 11, 1893.
Atlas Assurance Company, England, August 2, 1893.
Atkins (E. C.) Company, Indianapolis, Ind., July 15, 1891.
Atlas Engine Works, Indianapolis, Ind., December 29, 1893.
Atlanta Guano Company, Atlanta, Ga., October 5, 1893.
Atlanta Home Insurance Company, Atlanta, Ga., March 2, 1892.
Atlanta, Knoxville & Northern Railway Company, Georgia, October
31, 1896.
Atlantic Lumber Company, Boston, Mass., December 31, 1894.
Atlanta National B. & L. Association, Georgia, October 21, 1893.
Aultman, C. & Co., Ohio., September 16, 1892.
Aultman & Taylor Machinery Company, Mansfield, O., March 2, 1892.
Aultman, Miller & Company, Akron, O., January 26, 1893.
Aultman & Taylor Company, Mansfield, O., January 24, 1895.
Aurora Mining Company, Georgia, May 1, 1893.
Ayer (J. C.) Company, Lowell, Mass., March 14, 1894.
Ayer & Lord Tie Company, Chicago, Ill., March 11, 1896.

I-B

- Babcock Printing Press Manufactory, New London, Conn., July 1
1897.
Baldwin Fertilizer Company, Savannah, Ga., February 8, 1894.
Bolivar Manufacturing Company, Mississippi, July 1, 1893.

- Barnard & Leos Manufacturing Company, Moline, Ill., December 18, 1893.
- Barr Cash & Package Carriage Company, Mansfield, O., April 2, 1894.
- Bauer Cooperage Company, Lawrenceburg, Ind., March 6, 1889.
- Banker's Alliance of California, Los Angeles, Cal., October 7, 1895.
- Banker's Guarantee Fund Life Association, Atlanta, Ga., March 7, 1895.
- Beaver Dam Lumber & Mining Company, Richmond, Va., November 16, 1889.
- Beckford & Huffman Company, New York, February 5, 1894.
- Berkeley Phosphate Company, South Carolina, September 16, 1896.
- Betts Machine Company, Wilmington, Del., December 4, 1896.
- Big Creek Gap Coal & Iron Company, Frankfort, Ky., December 1, 1888.
- Bissell Chilled Plow Works, South Bend, Ind., January 11, 1897.
- Birdsell Manufacturing Company, South Bend, Ind., September 29, 1893.
- Black Diamond Coal Company, New Jersey, February 7, 1892.
- Board of Commissioners of the Yazoo, Mississippi Delta, Shelby, June 12, 1895.
- Boston Marine Insurance Company, Boston, December 29, 1896.
- Brownell & Company, Dayton, O., August 1, 1894.
- Bristol Belt Line Railroad, Virginia, August 15, 1891.
- Bristol Belt Line Railway Company, Bristol, Va., October 29, 1894.
- Bristol Gas & Electric Company, Bristol, Va., May 15, 1896.
- Bristol Telephone Company, Bristol, Va., November 21, 1895.
- British American Investment Company, Atlanta, Ga., December 11, 1896.
- British & Foreign Marine Insurance Company, Limited, England, September 14, 1893.
- British American Mortgage Company, Limited, England, June 8, 1895.
- Brunswick Balke Callender Company, Cincinnati, O., October 27, 1891.
- Bucher & Gibbs Plaid Company, Canton, O., March 10, 1894.
- Burra-Burra Company, New Jersey, February 7, 1892.
- Boyton, Paul, Chute Company, New York, July 16, 1896.

C

- California Insurance Company, California, March 4, 1892.
- Caledonian Fire Insurance Company, Edinburg, July 21, 1893.
- Canadian-American Mortgage & Trust Company, July 11, 1895.

- Concordia Loan & Trust Company, Kansas City, Mo., March 23, 1894.
Cape Fear & Cincinnati Company, North Carolina, Sept. 15, 1894.
Capples Wooden Ware Company, St. Louis, Mo., Feb. 6, 1892.
Carcy Lombard Lumber Company, Wichita, Kas., July 25, 1891.
Carnegie Development Company, Jersey City, N. J., Jan. 16, 1897.
Carnegie Furnace Company, Jersey City, N. J., Jan. 16, 1897.
Carnegie Iron Company, Virginia, February 27, 1897.
Carnegie Land Company, Virginia, February 27, 1897.
Carter Package Company, Belmont, N. Y., April 17, 1896.
Case, J. I., Threshing Machine Company, Racine, Wis., July 12, 1893.
Cassett Land & Improvement Company, New Jersey, May 14, 1894.
Centennial Insurance Company, New York, March 4, 1892.
Central Coal & Iron Company, Kentucky, May 26, 1892.
Central Iron Company, Huntsville, Ala., April 3, 1895.
Chandler & Taylor Company, Indianapolis, Ind., August 22, 1890.
Chattanooga Company, Limited, Manchester, Eng., Feb. 4, 1893.
Chattanooga Southern Railroad Company, Atlanta, Ga., March 13, 1896.
Chess & Wymond Company, Louisville, Ky., October 31, 1896.
Chicago Guarantee Fund Life Society, Chicago, February 18, 1896.
Christian Moerlien Brewing Company, Cincinnati, O., Feb. 5, 1897.
Church, The John, Company, Cincinnati, O., April 15, 1896.
Cincinnati Desiccating Company, Cincinnati, O., Feb. 28, 1894.
Cincinnati Cooperage Company, Ohio, August 8, 1891.
City of London Fire Insurance Company, England, April 22, 1892.
Climax Powder Manufacturing Company, Emporium, Pa., July 17, 1893.
Columbus Bridge Company, Columbus, O., January 15, 1894.
Columbian Fire Insurance Company of America, Louisville, Ky., September 6, 1893.
Columbia Veneer & Box Company, Louisville, Ky., June 3, 1893.
Commercial Alliance Life Insurance Company, New York, March 4, 1892.
Commercial Travelers' Benefit Association of United States, St. Louis Mo., March 20, 1897.
Commercial Union Assurance Company, London, England, October 31, 1893.
Commercial Union Fire Insurance Company, New York, June 5, 1896.
Congregational Church Building Society, New York, March 21, 1894.
Connecticut Fire Insurance Company, Hartford, Conn., June 7, 1892.

Connecticut Indemnity Association of Waterbury, Connecticut, March 5, 1892.
Connecticut Mutual Life Insurance Company, Hartford, Conn., April 2, 1892.
Continental Trust Company, New York, N. Y., October 16, 1897.
Corning & Company, Peoria, Ill., March 4, 1897.
Cotton States Fertilizer Company, Charleston, S. C., Nov. 11, 1897.
Crescent Brewing Company, Aurora, Ill., July 14, 1894.
Crosby Lumber Company, Michigan, July 13, 1892.
Crown Manufacturing Company, Phelps, N. Y., Nov. 17, 1893.
Cumberland Construction Company, Somerset, Ky. July 11, 1894.
Cumberland Estates, Limited, England, May, 29, 1896.
Cumberland Lands, Limited, England, July 25, 1890.
Cumberland Lumber & Transportation Company, Kentucky, March 19, 1897.
Cumberland Oil and Gas Company, Huntingdon, Va.. Jan. 9, 1895.
Cumberland Telephone Company, Henderson, Ky., April 6, 1894.
Cumberland Telephone & Telegraph Company, Henderson, Ky., May 1, 1891.

D

Davis Carriage Company, Cincinnati. O., September 8, 1893.
Davis & Rankin Building & Manufacturing Company, Chicago, Ill., March 12, 1894.
Dayton Coal & Iron Company, England, April 16, 1883.
Delaware Insurance Company, Philadelphia, Pa., Sept. 23, 1893.
Deering Harvester Company, Chicago, May 28, 1894.
Diebold Safe & Lock Company, Canton, O., February 7, 1894.
District Grand Lodge No. 7, I. O. B. B, New Orleans, Nov. 11, 1894.
Doe Mountain Mining & Improvement Company, Virginia, June 7, 1890.
Drummond Tobacco Company, St. Louis, February 3, 1894.
Ducktown Sulphur, Copper & Iron Company, England, December 19, 1891.
Dundee Investment Company, Limited, Ireland, July 18, 1896.
Dundee Mortgage & Trust Investment Company, Ireland, July 18, 1895.

E

- Eagle Pencil Company, New York, June 5, 1894.
East Chattanooga Furniture Company, West Virginia, Aug. 31, 1891.
Eastern Building & Loan Association, Syracuse, N. Y., Aug. 11, 1893.
Eastern Kentucky Land Company, Kentucky, Aug. 10, 1896.
East Tennessee Land and Construction Company, Maine, Dec. 13, 1891.
East Tennessee Mining & Improvement Company, New Jersey, April 18, 1890.
East Tennessee & North Alabama Coal & Iron Company, Alabama, June 21, 1889.
East Tennessee Telephone Company, Bowling Green, Ky., April 2, 1894.
East Tennessee Valley Zinc Works, Illinois, January 24, 1884.
Edinburgh-American Land Mortgage Company, Limited, Edinburgh, July 18, 1895.
Edward Hutzeberg Packing & Provision Company, St. Louis, Mo., February 8, 1895.
Edison General Electric Company, New York, January 12, 1891.
Elk Valley Coal Company, Kentucky, January 10, 1862.
Embreville Freehold Iron & Railway Company, Limited, England, January 27, 1897.
Embreville Iron Company, Limited, England, March 21, 1896.
Embreville Town Company, England, August 7, 1891.
Emerson Company, The, Baltimore, Md., December 17, 1896.
Empire Drill Company, New York, August 8, 1893.
Empire Lumber Company, New York, July 25, 1895.
Employers' Liability Assurance Corporation, Limited, London, Eng., October, 26, 1893.
Equitable Life Assurance Society of the United States, New York, December 7, 1893.
Equitable Loan & Surety Company, Atlanta, July 11, 1896.
Erwin Land & Iron Company, Alexandria, Va., July 15, 1891.
Evansville Grain Company, Evansville, Ind., February 7, 1894.
Evansville Marble Company of Baltimore, Baltimore, Md., March 1, 1897.
Excelsior Coal and Coke Company, Indiana, November 23, 1891.
Export Storage Company, Cincinnati, O., September 11, 1894.

F

Falls Branch Jellico Land & Improvement Company, Versailles, Ky., January 25, 1893.
Farmers' Tobacco Bank, Fulton, Ky., October 18, 1893.
Farragut Fire & Insurance Company, New York, N. Y., March 7, 1892.
Fay, J. A., & Egan Company, Cincinnati, O., September 7, 1893.
Federal Life Association, Davenport, Ia., April 29, 1892.
Female Literary & Benevolent Institution, Bardstown, Ky., March 9, 1895.
Fidelity & Deposit Company, Baltimore, Md., October 30, 1893.
Fidelity & Casualty Company of New York, N. Y., March 7, 1892.
Fidelity Mutual Life Association, Philadelphia, Pa., March 4, 1892,
Fidelity Trust & Safety Vault Company, Louisville, Ky., Jan. 27, 1895.
Fillman, Geo. D., Company, Columbus, September 6, 1895.
Finance Company of Philadelphia, Philadelphia, Pa., Feb. 15, 1895.
Fire Association of Philadelphia, Philadelphia, Pa., March 4, 1892.
Fishburn Bros. & Co., Roanoke, Va., April 4, 1894.
Fisher Typewriter Company, Jersey City, N. J., February 5, 1895.
Flint Cooperage Company, Jenessee, Mich., March 10, 1894.
Fort Wayne Electric Company, Fort Wayne, Ind., Oct. 11, 1893.
Fort Wayne Electric Corporation, Fort Wayne, Ind., Aug. 30, 1894.
Forrest Oil Company, Oil City, Pa., December 27, 1895.
French, Jesse, Piano & Organ Company, St. Louis, Mo., Jan. 25, 1892.
Frick Company, Washington Township, Pa., August 25, 1893.
Fergusson Timber, Iron & Mining Company, Limited, England, July 31, 1893.
Furman Farm Improvement Company, Atlanta, April 24, 1894.

G

Gage, W. A., Lumber Company, Providence, R. I., June 19, 1893.
Galloway Coal Company, Galloway, Ala., December 8, 1893.
Garret, T. H., & Co., Louisville, Ky., January 30, 1896.
Geer, Scott & Co., Richmond, Ind., May 12, 1893.
Geisel Manufacturing Company, St. Louis, Mo. February 9, 1894.
Geiser Manufacturing Company, The, Waynesboro, Pa., March 9, 1895.
General American Mutual Life Association, Georgia, June 25, 1896.
General Electric Company, April 19, 1894.
Georgia Home Insurance Company, Columbus, Ga., March 2, 1892.

- Georgia Loan & Trust Company, Americus, Ga., June 17, 1892.
Georgia Slate Company, Rockmart, Ga., May 21, 1894.
German Alliance Insurance Company, New York, N. Y., March 1,
1897.
German-American Insurance Company, New York, N. Y., August
30, 1893.
Germania Fire Insurance Company, New York, August 7, 1893.
German Insurance Company, Freeport, Ill., March 7, 1892.
Germania Insurance Company, New Orleans, La., October 3, 1895.
Germania Life Insurance Company, New York, N. Y., Oct. 17, 1893.
Germantown Deposit, Trust & Insurance Company, Philadelphia, Pa.,
October 24, 1895.
Gibson, M. S., Co., Portland, Me., September 14, 1894.
Girard Fire Insurance Company, Philadelphia, Pa., March 10, 1892.
Gladden Lumber Company, Indianapolis, Ind., May 2, 1895.
Glenn Falls Insurance Company, Glenn Falls, N. Y., August 5, 1893.
Glenny, William, Glass Company, Cincinnati, O., February 20, 1894.
Globe Building & Loan Association, Louisville, Ky., July 17, 1893.
Globe Fire Insurance Company of New York, New York, N. Y., Feb-
ruary 10, 1896.
Gould Lathrop Lumber Company, Jackson, Mich., January 22, 1895.
Gray Lumber Company, Evansville, Ind., September 17, 1891.
Greenville Coal Company, Kentucky, January 27, 1896.
Graton Bridge & Manufacturing Company, Graton, New York, Jan-
uary 30, 1894.
Graver Mining & Manufacturing Company, Graver, Ga., January 30,
1894.
Greenwich Insurance Company, New York, March 14, 1894.
Greenwich Insurance Company, New York, N. Y., April 18, 1895.
Guarantee Company of North America, Montreal, Canada, July 25,
1892.
Guarantors Liability & Indemnity Company, Philadelphia, Pa., De-
cember 6, 1894.
Guarantee Savings, Loan & Investment Company, of Washingt
Washington, D. C., April 2, 1894.
Guardian Fire & Life Assurance Company, Limited, London, England
August 28, 1893.

I

- Hargadine McKittrick Dry Goods Company, St. Louis, Mo., March 7, 1894.
- Hagerstown Steam Engine & Machine Company, Hagerstown, Md., February 13, 1894.
- Hamburg Bremen Fire Insurance Company, Hamburg, Germany, July 18, 1893.
- Hamilton Brown Shoe Company, St. Louis, Mo., February 6, 1892.
- Hanover Fire Insurance Company, New York, October 3, 1895.
- Harrisburg Handle Company, Harrisburg, Pa., May 26, 1893.
- Harrison Machine Works, Bellville Ill., March 24, 1894.
- Harriman Wrought Iron Company, New Jersey, July 27, 1897.
- Hartford Fire Insurance Company, Hartford, Conn., July 31, 1893.
- Hartford Life & Annuity Insurance Company, Connecticut, January 18, 1892.
- Hartford Life & Annuity Insurance Company, Hartford, Conn., July 5, 1893.
- Hartford Steam Boiler Inspection & Insurance Company, Connecticut, February 26, 1892.
- Heilman Machine Works, Evansville, Ind., September 8, 1893.
- Henry Oil Company, Chicago, Ill., April 13, 1896.
- Hercules Marble Company, Knoxville, September 29, 1888.
- Herring Hall Marvin Company, Jersey City, N. J., February 26, 1894.
- Hoffman Lumber Company, Kansas City, Mo., August 24, 1891.
- Holyoke Mutual Fire Insurance Company, Salem, Mass., November 20, 1894.
- Home & Foreign Investment Agency Company, Limited, England, July 23, 1895.
- Home Insurance Company, of New York, July 31, 1893.
- Home Insurance Company, of New Orleans, July 26, 1893.
- Home Life Insurance Company, Brooklyn, N. Y., September 1, 1893.
- Huber Manufacturing Company, Marion, O., July 5, 1894.
- Home Mutual Aid Society, Kansas City, Mo., October 19, 1894.

I

- Illinois Building & Loan Association, Bloomington, Ill., August 11, 1893.
- Illinois Central Railway Company, Springfield, Ill., September 17, 1896.
- Imperial Fire Insurance Company, England, August 21, 1895.
- Indiana Machine Works, Fort Wayne, Ind., July 10, 1893.

- Ingalls Zinc Company, Indiana, March 12, 1896.
Ingersoll-Sergeant Drill Company, New York, July 7, 1893.
Inman's Famous Band Organization, New York, April 7, 1877.
Investors' Mortgage Security Company Limited, Scotland, July 3, 1895.
Installment Bond Trust Company, Parsons, Kansas, September 17, 1891.
Insurance Company of North America, Philadelphia, May 7, 1892.
Insterstate Building & Loan Association, Bloomington, Ill., January 9, 1894.
Interstate Building & Loan Association, Columbus, Ga., April 15, 1892.
International Fraternal Alliance, of Baltimore, Md., April 27, 1895..
Interstate Mining & Investment Company, Abingdon, Va., November 7, 1896.
Iron Belt Building & Loan Association, Roanoke, Va., May 21, 1891.
Irby, W. R., Cigars & Tobacco, Limited, New Orleans, La., September 12, 1896.
Iron King Mining & Milling Company, Cranberry, N. C., July 27, 1892.
Island Savings Bank, Rhode Island, June 24, 1896.

J

- Jarvis-Conklin Mortgage Trust Company, Kansas City, Mo., July 1895.
Jarvis-Conklin Mortgage Trust Company, Kansas City, Mo., March 30, 1892.
Judd & Company, New York, January 11, 1894.
Jerry's Branch Investment Company, Buffalo, N. Y., February 25, 1897.
Jung Brewing Company, Cincinnati, O., June 14, 1893.
Juniata Quarry & Manufacturing Company, Pennsylvania, April 5, 1893.

K

- Kansas City & Fort Scott & Memphis Railroad Company, September 3, 1893.
Kansas City & Memphis Railway & Bridge Company, September 3, 1895.
Kellogg, A. N., Newspaper Company, Chicago, Ill., January 27, 1888
Kelly, O. S., Company, Springfield, O., July 7, 1893.
Kentucky Coal & Fuel Company, Greenville, Ky., May 15, 1896.
Kentucky Lithographing Company, Louisville, June 4, 1893.
Kentucky Saw Mill Company, Louisville, Ky., May 10, 1894.

Kentucky & Tennessee Oil & Mining Company, Covington, Ky., April 10, 1896.

Kentucky Wagon Manufacturing Company, Louisville, Ky., May 29, 1895.

Kelsey L. A. Lumber Company, New York, N. Y., May 29, 1894.

King Iron Bridge & Manufacturing Company, Cleveland, O., March 20, 1894.

King Powder Company, Cincinnati, O., July 18, 1894.

Knights and Ladies of the Fireside, Kansas City, Mo., April 17, 1897.

Koken Barbers Supply Company, St. Louis, June 17, 1893.

L

LaGrange Iron Company, Missouri, August 25, 1881.

Labor Exchange, Sedalia, Mo., March 28, 1896.

Laflin & Rand Powder Company, New York, February 11, 1895.

Lampton, Crane & Ramey Company, Louisville, Ky., March 15, 1894.

Lamson Consolidated Store Service Company, Newark, N. J., September 5, 1895.

Lancashire Insurance Company, of Manchester, England, March 16, 1892.

Lawyers' Surety Company, New York, February 2, 1895.

Leffel, James, Company, Springfield, O., August 28, 1895.

Lemp Wm. J., Brewing Company, St. Louis, Mo., June 23, 1893.

Lexington Roller Mills Company, Lexington, Ky., June 30, 1893.

Liberty Cattle Company, of Fort Worth, Fort Worth, Texas, December 6, 1893.

Lion Fire Insurance Company, London, England, July 24, 1893.

Lipman, McCallum & Co., Limited, New Orleans; La., January 8 1895.

Listers' Agricultural Chemical Works, New York, N. Y., February 19, 1894.

Livura Manufacturing Company, New York, N. Y., October 16, 1894.

Lloyds Plate Glass Insurance Co., New York, March 24, 1892.

Lombard Investment Company, Kansas City, Mo., July 25, 1891.

London Coal & Iron Company, New Jersey, March 3, 1894.

London Guarantee & Accident Company, Limited, London, England, September 27, 1893.

London & Lancashire Fire Insurance Company, Liverpool England, July 31, 1893.

London, Liverpool & Globe, Liverpool, England, July 19, 1893.

Lookout Mountain Improvement Company, Portland, Me., February 14, 1896.

London & New York Land Company, Jellico, Ky., January 23, 1897.
Lookout Mountain Consolidated Company, Portland, Me.; October 2, 1893.

Loth Jeans Clothing Company, St. Louis, Mo., March 27, 1894.

M

Madgeburg Fire Insurance Company, Massachusetts, March 15, 1897.

Moline Plow Company, Moline, Ill., December 8, 1893.

Manchester Fire Assurance Company, Manchester, England, August 2, 1893.

Manhattan Life Insurance Company, New York, Sept. 23, 1893.

Manhattan 2 Per Cent. Loan Company, Iowa, September 14, 1892.

Manier & Tibbitts Implement Company, St. Louis, Mo., January 6, 1892.

Mansfield Machine Works, Mansfield, O., January 9, 1894.

Maplewood Improvement Company, Portland, Me., Nov. 26, 1892.

Marion Manufacturing Company, Marion, O., May 24, 1894.

Maryland Life Insurance Company of Baltimore, Maryland, March 7, 1892.

Massachusetts Benefit Association, Massachusetts, March 5, 1892.

Massachusetts Mutual Life Insurance Company, Springfield, Mass., March 19, 1894.

Maxwell & Couch Mule Company, St. Louis, Mo., August 5, 1894.

Mayfield Woolen Mills, Mayfield, Ky., July 24, 1893.

McCormick Harvesting Machine Company, Chicago, June 30, 1893.

McNabb Coal & Coke Company, Indiana, March 18, 1893.

McNabb Coal & Coke Company, Lawrenceburg, Ind., July 2, 1895.

Mechanics & Traders Insurance Company, New Orleans, July 19, 1893.

Milburn Wagon Company, Toledo, O., May 12, 1894.

Milwaukee Harvester Company, Milwaukee, Wis., Feb. 26, 1894.

Milwaukee Mechanics Insurance Company, Milwaukee, Wis., August 22, 1893.

Memphis Binding Company, Mississippi, February 10, 1896.

Memphis Car & Foundry Company, Litchfield, Ill., January 8, 1894.

Mengel, C. C., Jr. Bros. & Co., Louisville, Ky., January 7, 1893.

Mercantile Trust & Deposit Company, Baltimore, Md., Aug. 8, 1895.

Mercantile Union Company, Chicago, Ill., August 11, 1894.

Merchants Retail Commercial Agency, Chicago, Ill., Dec. 19, 1891.
Metropolitan Life Insurance Company, New York, May 25, 1894.
Metropolitan Manufacturing Company, Middleton, Conn., July 6, 1892.
Metropolitan Plate Glass Insurance Company, New York, March 14, 1892.
Meyer Bros.' Drug Company, St. Louis, August 14, 1893.
Michigan Life Insurance Company, Detroit, Mich., March 23, 1893.
Middlesex Banking Company, Middletown, Conn., May 28, 1895.
Middle Tennessee Iron Company, New London, Wis., Oct. 3, 1892.
Missionary Ridge Farm Company, Jackson, Miss., August 7, 1895.
Missouri Furniture Company, Missouri, July 1, 1882.
Mississippi Valley Cotton Company, Charleston, W. Va., June 25, 1894,
Mitchell & Lewis Company, Limited, Racine, Wis., September 2, 1843.
Mosler, Bohman Company, Cincinnati, March 7, 1896.
Mountain Lumber Company, Louisville, Ky., May 24, 1894.
Mutual Aid Department of the Universal Brotherhood, Natchez, Miss., September 4, 1891.
Mutual Benefit Life Insurance Company, Newark, N. J., March 5, 1892.
Mutual Benefit Life Insurance Company, Newark, N. J., July 8, 1893.
Mutual Educational Society, Jackson, Miss., June 6, 1891.
Mutual Fire Insurance Company, New York, April 22, 1895.
Mutual Investment Company, Fort Scott, Kan., January 19, 1893.
Mutual Life Insurance Company, of New York, New York, April 4, 1893.
Mutual Reserve Fund Life Association, New York, March 12, 1892.

N

Iashville Packing Company, Chicago, Ill., June 7, 1893.
Iational Benevolent Society, Kansas City, September 3, 1895.
Iational Building Company, Portland, Maine, September 15, 1892.
Iational Cash Register Company, Dayton, Ohio, December 22, 1893.
Iational Cotton Oil Company, New Jersey, January 28, 1890.
Iational Fiber Company, Chicago, October 27, 1894.
Iational Fire Insurance of Hartford, Hartford, Conn., November 27, 1893.
Iational Fraternal Union, Cincinnati, O., August 4, 1891.
Iational Fraternal Union, Cincinnati, O., March 13, 1896.

- National Home Building & Loan Association, Bloomington, Ills., April 2, 1892.
- National Institute of Des Moines, Iowa, Des Moines, Iowa, April 22, 1892.
- National Lead Company, Jersey City, N. J., August 2, 1893.
- National Life Association of Hartford, Hartford, Conn., October 16, 1893.
- National Life & Maturity Insurance Company, Washington, D. C., March 10, 1892.
- National Railway Building & Loan Association, Atlanta, Ga., March 17, 1894.
- National Stave and Cooperage Stock Company, Ashland, Ky., July 14, 1893.
- National Surety Company, Kansas City, July 30, 1894.
- National Temperance Relief Union, St. Joseph, Mo., April 25, 1892.
- Niagara Fire Insurance Company, New York, July 28, 1893.
- Nederland Life Insurance Company, Limited, Amsterdam, April 5, 1894.
- Nederlands American Land Company, Holland, July 11, 1895.
- Nichols and Shepard, Calhoun, Mich., February 7, 1844.
- North Alabama Lumber Manufacturing Company, Alabama, September 30, 1889.
- North American Trust Company, New York, April 15, 1897.
- North British & Mercantile Insurance Company, England, March 10, 1892.
- North Carolina Land & Lumber Company, North Carolina, May 17, 1897.
- North Georgia Telegraph Company, Georgia, February 16, 1897.
- Northeastern National Insurance Company, Wisconsin, March 5, 1892.
- Northern Assurance Company, England, September 26, 1896.
- Northwestern Fertilizing Company, Chicago, February 8, 1894.
- Northwestern Life Association, of Minneapolis, Minn., April 18, 1892.
- Northwestern Masonic Aid Association, Chicago, Ill., May 9, 1892.
- Northwestern Mutual Life Insurance Company, Milwaukee, Wis., April 23, 1892.
- Norton Lumber Company, Chicago, October 10, 1895.
- Norwich Union Fire Insurance Company, Great Britain, April 9, 1892.
- Newark Machine Company, Newark, O., February 23, 1894.
- New Columbus Bridge Company, Columbus, O., April 1, 1895.
- New England Burglary Insurance Company, Massachusetts, February 17, 1896.

- New Orleans Insurance Company, New Orleans, May 9, 1892.
New Orleans Loan Building & Savings Association, New Orleans, La.,
April 29, 1895.
New South Brewing & Ice Company, Middlesborough, Ky., August
23, 1894.
New South Building & Loan Association, New Orleans, La., February
25, 1895.
New York Life Insurance, New York, May 4, 1893.
New York Mortgage Loan Company, Minnesota, January 29, 1891.
New York & New Orleans Coal & Iron Company, New Jersey, De-
cember 14, 1889.
New York Plate Glass Insurance Company, New York, July 31, 1893.

O

- Oakdale Home Insurance Company, Oakdale, Cal., July 29, 1893.
Oakdale Iron, Coal & Transportation Company, Missouri, December
21, 1882.
Orient Insurance Company, Connecticut, March 4, 1892.
Orville Machine Company, Orville, O., March 11, 1896.
Osborne, D. M. & Co., Auburn, N. Y., October 23, 1893.
Oxley, F. G., Stave Company, Ohio, April 19, 1892.

P

- Pacific Fire Insurance Company, New York, October 10, 1895.
Pacific Mutual Life Insurance Company, San Francisco, Cal., Septem-
ber 20, 1893.
Paducah Land, Coal & Iron Company, Paducah, Ky., January 15,
1894.
Palatine Insurance Company, Limited, Manchester, England, December
24, 1894.
Parlin & Arendorff Company, Canton, Ill.
Passe Company, The George, Birmingham, Ala., October, 10, 1894.
Pauly Jail, Bridge & Manufacturing Company, St. Louis, Mo., Feb-
ruary 1, 1892.
Peck-Sinead Company, Anniston, Ala., July 24, 1895.
People's Building, Loan & Savings Association, Geneva, N. Y., No-
vember 28, 1893.
People's Savings & Loan Association, Minneapolis, Minn., April 22,
1895.

- Pennsylvania Mutual Life Insurance Company, Philadelphia, Pa., March 10, 1892.
- Pennsylvania Fire Insurance Company, Philadelphia, Pa., March 10, 1892.
- Philadelphia Mortgage & Trust Company, Philadelphia, Pa., March 7, 1894.
- Phoenix Insurance Company, Brooklyn, N. Y., November 14, 1894.
- Phoenix Insurance Company, Hartford, Conn., July 24, 1893.
- Piedmont Coal & Land Company, New Jersey, June 29, 1889.
- Pioneer Savings & Loan Company, Minneapolis, Minn., September 28, 1893.
- Plano Manufacturing Company, Chicago, Ill., May 25, 1894.
- Plymouth Rock Pants Company, Newark, N. J., August 25, 1893.
- Polk, R. L. & Company, Detroit, Mich., January 15, 1894.
- Postal Telegraph Cable Company, New York, May 4, 1897.
- Powell's Valley Coal & Iron Company, Kentucky, August 17, 1892.
- Preferred Accident Insurance Company, New York, August 13, 1896.
- Procter Coal Company, Jellico, Tenn., February 11, 1888.
- Progress Stove & Tin Works, Louisville, Ky., July 7, 1893.
- Providence Coal Company, Providence, Ky., October 21, 1893.
- Provident Life & Trust Company, of Philadelphia, Philadelphia, Pa., February 22, 1894.
- Provident Savings Life Assurance Society, of New York, New York, December 8, 1893.
- Prudential Insurance Company, New Jersey, April 3, 1897.
- Prussian National Insurance Company, Stettin, Prussia, September 8, 1896.

Q

Queen Insurance Company, of America, New York, March 16, 1892.

R

- Railway Building & Loan Association, Minneapolis, Minn., October 17, 1892.
- Railway Employees Industrial Banking Company, Chicago, Ill., May 15, 1895.
- Railway Employees Protective Association Alexander, La., September 18, 1896.
- Railway Officials & Employees Association, Indianapolis, Ind., March 5, 1892.

- Read Fertilizer Company, New York, September 23, 1893.
Reeves & Company, Columbus, Ind., August 21, 1893.
Reid Bros, Packing Company, Limited, Ireland, June 20, 1894.
Rivermont Lumber Company, Massachusetts, January 2, 1891.
Rivere Rubber Company, Chelsea, Mass., June 17, 1893.
Richmond City Mills Works, Richmond, Ind., March 16, 1894.
Roberson & Company, Richmond, Ind., March 17, 1894.
Royal Insurance Company, Liverpool, England, June 18, 1893.
Royal Tennessee Marble Company, Pittsburg, Pa., August 10, 1895.
Rudolph Warlitzer Company, Cincinnati, O., October 11, 1894.
Rugby Tennessee, Company, Limited, England, November 4, 1893.
Russell & Company, Massillon, O., September 16, 1893.
St. Bernard Coal Company, Earlington, Ky., August 25, 1893.
Saige Manufacturing Company, New Jersey, June 10, 1891.
Samuel Woodside Company, Cincinnati, O., August 1, 1894.
Samuel Wymond Cooperage Company, Indiana, March 31, 1893.
Sandusky Wheel Company, Ohio, October, 8, 1886.
Scottish American Mortgage Company, Scotland, June 25, 1895.
Scottish Carolina Timber & Land Company, North Carolina, July 13, 1885.
Scottish Union National Insurance Company, Scotland, August 26, 1893.
Schlitz Brewing Company, Milwaukee, Wis., June 23, 1893.
Schlitz Brewing Company, Milwaukee, Wis., July 11, 1895.
Schultz, Bridge, & Iron Company, Pennsylvania, May 8, 1895.
Scudder, Gale Grocer Company, Missouri, June 9, 1893.
Security Mutual Life Association, Binghampton, N. Y., March 4, 1897.
Security Savings & Loan Association, Huntsville, Ala., Aug. 31, 1893.
Security Savings & Loan Association, Minnesota, March 21, 1892.
Seilberling, J. F. & Co., Akron, O., March 9, 1894.
Shepherds Coal & Coke Company, December 19, 1888.
Shields Lumber Company, Middlesboro, Ky., June 13, 1896.
Silurian Mineral Springs Company, Chicago, Ill., July 30, 1894.
Simmons Hardware Company, Missouri, January 16, 1892.
Sligo Iron Stove Company, St. Louis, Mo., January 9, 1894.
Smoky Mountain Lumber Company, Chicago, Ill., August 1, 1894.
Southern Baptist Convention, Georgia, January 4, 1897.
South Pennsylvania Oil Company, Pennsylvania, July 20, 1896.
Southern Building & Loan Association, Louisiana, April 9, 1892.
Southern Chemical Company, Michigan, October 8, 1891.
Southern Cotton Oil Company, New Jersey, November 28, 1894.

- Southern Express Company, Wisconsin, July 8, 1893.
Southern Guarantee Loan Company, Atlanta, August 3, 1896.
Southern Home Building & Loan Association, Georgia, March 5, 1892.
Southern Industries Company, Baltimore, Md., December 26, 1896.
Southern Investment Company, Denver, Col., December 9, 1893.
Southern Insurance Company, Louisiana, March 8, 1892.
Southern Iron Company, Alabama, November 27, 1889.
Southern Mutual Building & Loan Association, Atlanta, Ga., August 25, 1893.
Southern Railway Company, Richmond, Va., June 25, 1894.
Southern Spoke Company, Kentucky, June 24, 1891.
Southern Spoke & Rim Company, Indiana, June 22, 1893.
Southern States Coal Iron & Land Company, England, July 10, 1877.
Southern Fertilizer Company, Atlanta, Ga., September 27, 1895.
Society of the Precious Blood, Ohio, July 13, 1896.
Somerset & Johnsonburg Manufacturing Company, Johnsonburg, Pa., June 27, 1894.
Springfield Fire & Marine Insurance Company, Springfield, Ohio, July 28, 1893.
Standard Charcoal Company, Buffalo, N. Y., December 31, 1895.
Standard Handle Company, New York, May 24, 1894.
Standard Life & Accident Insurance, Detroit, Mich., April 28, 1894.
Standard Oil Company, Louisville, Ky., September 21, 1893.
Standard Sewing Machine Company, Cincinnati, Ohio, October 12, 1894.
Standard Wheel Company, Chicago, December 13, 1895.
State Life Insurance Company, Indiana, March 2, 1896.
State Trust Company of New York, New York, October 23, 1896.
Staws C. L., Lumber Company, Indianapolis, Ind., November 1, 1891.
St. Louis & New Orleans Anchor Line, St. Louis, Mo., November 14, 1895.
St. Louis & Tennessee River Packet Company, St. Louis, Mo., November 22, 1893.
St. Paul Fire Marine Insurance Company, Minnesota, March 5, 1892.
Stevens, A. W., & Son Lumber Company, Auburn, N. Y., May 20, 1896.³
Stewart Ralph Snuff Company, Philadelphia, February 19, 1897.
Studebaker Bros. Manufacturing Company, South Bend, Ind. November 10, 1893.
Sun Fire Office of London, England, March 12, 1892.
Sun Insurance Company, California, March 17, 1892.

Sun Life Insurance Company of America, Louisville, Ky., July 18, 1893.
Sun Mutual Insurance Company, New Orleans, June 3, 1896.
Superior Drill Company, Springfield, Ohio, May 11, 1894.
Supreme Council Catholic Knights of America, Kentucky, October 22, 1894.
Supreme Council of the Catholic Knights of America, Indiana, July 22, 1896.
Supreme Setting Order of the Iron Hall, Indiana, September 3, 1895.
Sutherland Oil Company, Bradford, Pa., September 4, 1895.
Swiss Pioneer Union, Milwaukee, Wis., November 29, 1895.

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Tellico Lumber Company, Michigan, March 2, 1897.
Tennessee Farm Company, Louisville, Ky., May 13, 1895.
Tennessee Improvement Company, New Jersey, July 1, 1895.
Tennessee Oil Company, Allardt, Tenn., June 25, 1894.
Tennessee Timber & Iron Company, Kentucky, October 7, 1891.
Tennessee Union Land Development Company, Illinois, February 9, 1896.
Tennessee Valley Coal Company, Indiana, November 23, 1891.
Terre Haute Brewing Company, Terre Haute, Ind., August 18, 1894.
Teutonia Insurance Company, New Orleans, La., June 18, 1893.
Texas Co-operative Investment Company, Texas, May 16, 1893.
Thompson, Wilson & Co, Paducah, Ky., July 27, 1893.
Three States Lumber Company, Eau Claire, Wis., July 12, 1894.
Transatlantic Fire Insurance Company of Hamburg, Hamburg, February 25, 1892.
Travelers Insurance Company, Hartford, Conn., May 20, 1893.
Tri-State Coal & Iron Company, Alabama, August 18, 1894.
Tudor Iron Works, St. Louis, Mo., May 23, 1893.

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Udel Woodenware Company, St. Louis Mo., December 18, 1893.
Unaka Construction Company, Bristol, Tenn., March 7, 1894.
Unaka Iron Company, Virginia, May 21, 1892.
Unaka Timber Company, Michigan, June 29, 1885.
Union Cash Register Company, Trenton, N. J., December 6, 1896.
Union Casualty & Surety Company, St. Louis, Mo., March 19, 1894.

- Union Land, Coal & Coke Company, Jersey City, N. J., August 14, 1896.
- Union Marine Insurance Company, Limited, of Liverpool, England, March 7, 1892.
- Union Trust Company, Philadelphia, Pa., November 26, 1894.
- United Aid & Insurance Company, Richmond, Va., May 22, 1896.
- United Life Insurance Association, New York, N. Y., Dec. 15, 1896.
- United Trust, Limited, Liverpool, England, July 11, 1895.
- United Underwriters Insurance Company, Georgia, March 14, 1892.
- United States Baking Company, Richmond, Ind., April 10, 1894.
- United Banking & Building Company, Richmond, Va., April 20, 1894.
- United States Building & Loan Association, Louisville, Ky., September 12, 1893.
- United States Casualty Company, New York, N. Y., June 14, 1895.
- United States Fire Insurance, New York, June 3, 1896.
- United States Guarantee Company, New York, November 27, 1895.
- United States Leather Company, New Jersey, April 22, 1893.
- United States Life Insurance in the City of New York, New York, June 24, 1893.
- United States Masonic Benevolent Association, Council Bluffs, Iowa, July 12, 1894.
- United States Mortgage Company of Scotland, Scotland, July 18, 1895.
- United States Mutual Accident Association, New York, March 12, 1892.
- United States Mutual Accident Association, New York, June 27, 1893.
- United States Savings, Loan & Building Company, St. Paul, Minn., May 22, 1891.
- United States Savings & Loan Company (amendment), St. Paul, Minn., March 27, 1897.

V

- Virginia Bridge & Iron Company, Roanoke, Va., May 19, 1897.
- Virginia Fire & Marine Insurance Company, Virginia, April 18, 1892.
- Valley Mutual Life Association of Virginia, Staunton Va., March 5, 1894.
- Valley Still Company, St. Louis, Mo., March 8, 1894.
- Virginia, Tennessee & Carolina Steel & Iron Company, New Jersey, April 18, 1887.

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- Walden Ridge Coal & Iron Company, Ohio, February 6, 1890.
- Walla-Walla Gum Company, Middlesboro, Ky., October 15, 1894.

- Walter A. Wood Mowing & Reaping Machine Company, New York,
July 8, 1893.
- Warden, Bushnell & Glessner Company, Springfield, O., July 12,
1893.
- Warren Scharf Asphalt Paving Company, New York, July 3, 1893.
- Watauga Valley Iron Company, New Jersey, March 4, 1887.
- Watts Steel & Iron Syndicate, Limited, England, July 2, 1894.
- Watertown Steam Engine Company, Watertown, N. Y., April 30, 1894.
- Wear & Booghes Dry Goods Company, St. Louis Mo., June 10, 1893.
- Westchester Fire Insurance Company, New York, March 4, 1892.
- West Point Mining & Manufacturing Company, Alabama, October 4,
1890.
- West Tennessee Spoke & Lumber Company, Indiana, December 31,
1894.
- Western Advertising Company, St. Louis, Mo., October 11, 1894.
- Western Advertising Company, St. Louis, Mo., July 16, 1894.
- Western Assurance Company, Canada, March 5, 1892.
- Western & Hawaiian Investment Company, Ireland, September 5,
1895.
- Western Industrial Association, St. Louis, Mo., August 29, 1895.
- Western Investment Company, Kansas, July 15, 1895.
- Western Paper Bag Company, Appleton, Wis., April 22, 1893.
- Williamsburg City Fire Insurance Company, New York, March 12,
1892.
- William Deering & Company, Illinois, August 23, 1894.
- Withington & Russell Company, Tennessee, December 25, 1895.
- Wheeler & Wilson Manufacturing Company, Cincinnati, O., February
1, 1893.
- White Pine Fence Company, W. Va., December 7, 1891.
- Whitemore & Burns Manufacturing Company, Arkon, O., July 16,
1894.
- Whiting Lumber Company, North Carolina, May 13, 1897.
- Whitman Agricultural Company, St. Louis, February 9, 1894.
- Wrought Iron Bridge, Canton, O., February 18, 1897.
- Wrought Iron Range Company, Missouri, September 29, 1892.

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Youngstown Bridge Company, Youngstown, O., December, 28, 1893.

State Corporations.

CORPORATIONS

Organized under Chapter 143, Acts of 1875, known as the "Charter Act," and
 Acts amendatory, published herein by direction of Section 30 of
 said Act, from April, 1895, to March 31, 1897, inclusive.

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Alabama Street Presbyterian Church.	Shelby.....	Apr. 30, 1896	O O	139
Alden Line Co.	Franklin....	Jan. 19, 1897	J 2	196
American Air Bead Co.	Obion.....	July 15, 1895	P 2	52
American Central Life Insurance Co.	Hamilton....	Mar. 4, 1897	P P P	670
American Children's Home Society of Tenn.	Davidson ...	Apr. 25, 1896	U 3	85
American Co., The.	Davidson ...	Oct. 24, 1896	P P P	607
American Handle Co., Limited.	Knox.....	Nov. 8, 1895	P P P	375
American Life Annuity Co (amendment).	Davidson ...	May 14, 1895	P 2	42
American Liquor & Opium Cure Co.	Davidson ...	Apr. 28, 1896	U 3	85
American Telephone & Telegraph Co. of Tenn.	Davidson ...	June 14, 1895	P P P	233
Appalachian Gold Mining Co.	Davidson ...	Mar. 5, 1897	J 2	211
Arcanum Aid Society of Knoxville, Tenn.	Knox.....	Jan. 30, 1896	O O	124
Ashwood & Crossbridge Turnpike Co.	Maury	Jan. 4, 1896	S S	23
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Atkin Furniture Co.	Knox.....	Aug 24, 1895	U 3	40
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Bank of Rutherford.	Shelby.....	Mar. 4, 1897	Vol 1	190
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Barfield Car-coupler Co (amendment).	Hamilton ...	Oct. 5, 1896	P 2	91
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Barnhill Liquor & Opium Cure Co. (Bristol, Tenn.)	Sullivan.....	Apr. 2, 1896	U 3	84
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B iford County Bank.	Bedford....	July 29, 1896	P P P	545
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B rlonond Land Co.	Warren	Oct. 12, 1895	J 2	72
B sthorff Pharmacy.	Shelby.....	July 22, 1895	U 3	31
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Barker, Lewis J., Dry Goods Co.....	Henderson.....	Feb. 19, 1896	U 3	71
Barnes Pharmacal Co.....	Davidson	Sept. 15, 1896	U 3	164
Barretteville Supply Co	Shelby	Mar. 8, 1896	U 3	75
Breeder & Horsemen Publishing Co	Davidson	April. 6, 1896	U 3	81
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Brownsville Female College.....	Haywood.....	Jan. 27, 1896	P P P	410
Brownsville Ice Co.....	Haywood.....	June 6, 1895	J 2	48
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Cairo & Tennessee River Railroad Co.....	Sullivan.....	Apl. 16, 1896	S S	25
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Cash Clothing Co.....	Wilson	Feb. 4, 1896	J 2	96
Cassetty Oil Co (amendment).....	Davidson	Jan. 28, 1897	P 2	103
Catherine Coal Mining Mfg Co	Hamilton	Mch. 21, 1896	J 2	125
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Citizens' Railway Co.	Knox . . .	Aug. 16, 1895	P P P	278
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Cowan Magic Manufacturing Co.	Knox . . .	July 29, 1895	U 3	34
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Craigmiles Opera House Co.	Hamblen . . .	Jan. 9, 1896	U 3	63
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Graves & King.....	Shelby	Apl. 23, 1895	U 3	15
Gray & Dudley Hardware Co.....	Davidson	June 6, 1895	J 2	47
Greeneville Presbyterian Church.....	Greene	Nov. 26, 1895	P P P	391
Grundy County Bank.....	Grundy.....	Aug. 18, 1896	Vol. 1	187
Guild & White.....	Shelby	Feb. 14, 1896	J 2	103
Guarantee Liquor & Opium Cure Co.....	Shelby	Mch. 26, 1896	J 2	127
H				
Halbrook Normal College.....	Knox	Nov. 25, 1895	P P P	393
Hall's Loon Reflector Co.....	Bradley	Oct. 9, 1895	P P P	354
Hamilton Coal, Coke & Iron Co.....	Davidson	Feb. 25, 1896	J 2	112
Harrisburg Handle Co.....	Sullivan	Oct. 22, 1895	J 2	74
Harris, Zeno T., Co.....	Shelby	Aug. 13, 1896	U 3	106
Hartsville & Lafayette Turnpike Co.....	Trousdale	Aug. 23, 1895	S S	20
Harriman & Northeastern Railroad Co.....	Roane	Dec. 12, 1895	P P P	399
Harriman Plow & Handle Co. (amendm't)	Roane	Aug. 26, 1895	P 2	64
Helfin Gold Mining Co.....	Hamilton	Aug. 26, 1895	J 2	64
Henderson Telephone Co	Chester	Apl. 8, 1895	J 2	40
Herald Publishing Co.....	Shelby	Nov. 17, 1896	U 3	122
Hickman County Phosphate Co.....	Hickman	Jan. 4, 1896	J 2	92
Hill Trunk Co	Davidson	Jan. 29, 1897	P P P	618
Historical Society of Washington County	Washington	Mch. 11, 1896	O O	131
Home Building Association.....	Shelby	Mch. 22, 1897	P P P	674
Home Building & Investment Co.....	Shelby	Dec. 16, 1896	O O	235
Home for Aged Women.....	Shelby	Jan. 21, 1897	O O	193
Home Gas Machine Co. (amendment)....	Shelby	May 24, 1895	P 2	44
Home Mission Society.....	Davidson	May 10, 1895	O O	97
Home Stove Co.....	Greene	Feb. 3, 1897	J 2	203
Hook Street Warehouse Co.....	Hamilton	July 26, 1895	J 2	57
Harlem Social Club.....	Knox	Oct. 13, 1896	O O	177
Horse Creek Educational Society.....	Sullivan	May 20, 1896	P P P	508
Hospital Building & Promoting Board.....	Knox	Aug. 17, 1896	O O	161
Hotel & Restaurant Waiters Protective Association.....	Shelby	Feb. 25, 1897	O O	202
Hyde Transfer & Storage Co. (amendm't)	Hamilton	Oct. 14, 1896	P 2	92
Hygeia Natatorium Co	Shelby	June 20, 1896	P P P	530
I				
Idlewild (town charter)	Shelby	Sept. 12, 1895	P P P	350
Independent Order of Good Samaritans & Daughters of Samaria of N. A.....	Davidson	May 15, 1896	O O	
Independent Order of Pole Bearers No. 9.	Shelby	Oct. 24, 1896	O O	
Independent Pole Bearers' Ass'n No. 3.....	Shelby	Aug. 8, 1896	O O	
Independent Pole Bearers' Ass'n No. 7.....	Shelby	July 28, 1896	O O	
Independent Pole Bearers' Ass'n No. 11.....	Shelby	Aug. 19, 1896	O O	
Indian Creek Telephone Co.....	Wayne	Apl. 10, 1896	J 2	
Indian Mountain Jelico Coal Co.....	Knox	Sept. 4, 1895	P P P	
Interstate Library Association	Knox	Dec. 10, 1896	U 3	1
Interstate Music Festival Association.....	Shelby	May 4, 1896	O O	1
Isaacs Book & Stationery Co.....	Shelby	June 20, 1896	J 2	1

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J				
Jackson Hedge Co.	Madison	Feb. 2, 1896	U 3	72
Jackson, L. L., Jewelry Co.	Hamilton ...	Mch. 23, 1896	J 2	126
Jackson Sanitarium.	Madison	Feb. 6, 1896	J 2	99
Jackson Shirt Manufacturing Co.	Madison	Aug 24, 1895	J 2	63
Jackson Woolen Mills (amendment).	Madison	Dec 17, 1895	J 2	72
Jackson Lumber Co.	Madison	Mch. 5, 1897	J 2	212
Jackson Mercantile Co.	Madison	May 1, 1896	J 2	86
James, W. W., Grocery & Commiss'n Co.	Shelby.....	Nov. 13, 1896	U 3	121
Jamison (town charter)....	Cannon	Nov. 1, 1895	P P P	374
Jellico B. G. Coal Co.	Campbell	Sept. 4, 1895	P P P	296
Joel A. Battle Lodge Co.	Davidson ...	Mch. 20, 1897	O O	209
Johnson City Creamery Co.	Washington	Oct. 17, 1895	J 2	73
Jones Drug Co.	Shelby.....	Apl. 11, 1895	P P P	192
Johnston-French Fibre Works.	Hamilton ...	Oct. 10, 1896	U 3	112
K				
Kellogg Paint Co.	Hamilton ...	Mch. 19, 1897	U 3	245
Kenton Creamery.	Obion	Apl. 8, 1895	J 2	39
Keyser Manufacturing Co.	Hamilton ...	Nov. 4, 1895	J 2	77
King-Oates Furniture Co.	Knox.....	Aug. 19, 1895	P P P	283
Kingsport Telephone Co.	Sullivan.....	Jan. 11, 1896	U 3	64
Kirkpatrick Dry Goods Co.	Lauderdale	Sept. 17, 1895	U 3	45
Knoxville Butchers' Slaughtering Co.	Knox.	May 18, 1895	P P P	212
Knox Club.	Knox.....	July 15, 1896	P P P	543
Knoxville, Cumberland Gap & Louisville Railroad Co.	Knox.	Dec. 13, 1895	S S	22
Knoxville Junction Terminal & Belt Line Railway Co.	Knox.....	Apl. 22, 1895	S S	10
Knoxville Mining & Promoting Exchange	Knox.....	Mch. 31, 1896	J 2	128
Knoxville Nursery Co.	Knox.....	Feb. 12, 1896	U 3	69
Knoxville Sash, Door & Blind Factory.	Knox.....	Dec. 5, 1895	U 3	59
Knoxville Social Club.	Knox.	Oct. 29, 1895	O O	114
Knoxville Street Railway.	Knox.....	Oct. 31, 1896	P P P	609
Knoxville Water & Electric Power Co. (amendment)	Knox.....	Feb. 22, 1896	P 2	77
Knox, Sevier & Jefferson Boat Co	Knox.	Sept. 24, 1895	U 3	47
Kuster & Thompson.	Hamilton... .	Feb. 11, 1896	J 2	98
L				
Laborers' Help.	Tipton.....	July 25, 1896	O O	156
La Follette Railway Co.	Campbell ...	Aug. 7, 1895	S S	18
La Follette Land & Improvement Co. (amendment).	Campbell....	Nov. 21, 1896	P 2	94
Lakeside Land Improvement Co.	Sullivan.....	Aug. 14, 1895	J 2	63
Lane View Male & Female Academy.	Gibson	May 13, 1896	P P P	496
Lasley & Co.	Hamilton....	July 10, 1895	P P P	255
La Vita Cafe Company.	Shelby.....	— 8, 1897	U 3	38
Lawrence Chair Co.	Lawrence	Sept. 17, 1896	J 2	165
Lawrence Furniture & Building Co.	Lawrence	May 2, 1896	J 2	145
Lebanon Manufacturing Co.	Wilson	Feb. 13, 1896	J 2	105

CHARTERED CORPORATIONS—Continued.

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Lenoir City Mercantile Co.....	Loudon.....	Apl. 4, 1896	U 3	80
Lenoir Milling Co.....	Loudon.....	Oct. 29, 1895	J 2	76
Liberty Co-operative Association.....	Humphreys.....	July 29, 1895	J 2	38
Lincoln Club.....	Lincoln.....	Dec. 28, 1896	O O	189
Lincoln Memorial University.....	Claiborne.....	Dec. 9, 1896	O O	194
Lincoln Memorial University.....	Claiborne.....	Feb. 17, 1897	P P	568
Limestone Creamery Company.....	Washington.....	Oct. 2, 1895	U 3	50
Lippscomb, R. S., Manufacturing Co.....	Shelby.....	June 3, 1896	U 3	94
Lippscomb Sanitarium Co.....	Shelby.....	June 3, 1896		93
Little Bigby Turnpike Co.....	Maury.....	Mch. 28, 1896	S S	24
Little Giant Cider Mill Co.....	Davison	Apl. 4, 1895	J 2	39
Lookout Boiler & Manufacturing Co.....	Hamilton	Mch. 26, 1897	J 2	219
Lookout Ice Co.....	Hamilton	Oct. 12, 1895	J 2	70
Lookout Incline & Lula Railway Co. (amendment).....	Hamilton	Sept. 13, 1895	P 2	65
Lookout Incline & Lula Lake Railway Co.....	Hamilton	June 3, 1895	S S	14
Lookout Planing Mills.....	Hamilton	Oct. 10, 1896	P P P	602
Lord & Taylor.....	Hamilton	Sept. 4, 1896	U 3	110
Loudon County Fair Association.....	Loudon.....	Nov. 5, 1895	U 3	55
Louise Gold Mining Co.....	Shelby.....	May 16, 1896	J 2	144
Luttrell Milling Co.....	Union	Dec. 22, 1896	P P P	639
Lyndhurst Club.....	Madison	Sept. 10, 1896	O O	169
Lynnvile Cemetery Co.....	Giles	Jan. 17, 1896	U 3	65

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Manufacturers Association of Knoxville, Tenn	Knox..	May 16, 1896	O O	145
Manufacturers Exchange.....	Hamilton	Feb. 1, 1897	J 2	202
Marble City Industries Promoting Co.....	Knox.....	June 6, 1896	P P P	519
Marble City Drug Manufacturing Co.....	Knox.....	Aug. 11, 1896	P P P	561
Marble City Social Club.....	Shelby.....	Apr. 6, 1895	O O	93
Margarette Colonization Co.....	Shelby.....	July 27, 1895	U 3	33
Marshall County Jersey Creamery Co.....	Marshall.....	Sept. 28, 1895	J 2	67
Mossy Creek Valley Creamery.....	Jefferson	July 19, 1895	U 3	30
Manchester Packing Co.....	Coffee	Jan. 29, 1897	J 2	201
Maury County Phosphate Co.....	Maury.....	Aug. 19, 1896	J 2	157
Maury County Turner-Normal & Industrial School.....	Maury.....	June 13, 1895	O O	104
Maxwell House Co.....	Davidson	Nov. 16, 1895	U 3	56
McBee Trading Co.....	Knox.....	Dec. 10, 1896	U 3	124
McClung, Buffat & Buckwell.....	Knox.....	Jan. 11, 1897	U 3	129
McCormick Co.....	Knox.....	Jan. 27, 1896	U 3	66
McCormick Medicine Co.....	Hamilton	Sept. 13, 1895	P P P	311
McKenzie Canning Co.....	Carroll.....	Mar. 6, 1896	J 2	11 ^c
McKenny, G. E., Trunk Co.....	Hamilton	July 12, 1895	J 2	1
Medina Fruit Growers' & Shippers' Ass'n Memphis Auction, Storage & Commission Co	Gibson.....	May 10, 1895	O O	9
Memphis Coliseum Co	Shelby.....	Sept. 24, 1896	U 3	1 ^c
Memphis Brush & Broom Co	Shelby.....	July 9, 1896	U 3	1
Memphis Gun Club.....	Shelby.....	May 7, 1895	J 2	4
Memphis Iron Roofing & Corrugating Co.	Shelby.....	May 18, 1895	O O	9
Memphis, Little Rock & Pacific R. R. Co.	Shelby.....	Dec. 30, 1895	J 2	8
		Jan. 23, 1897	S S	3 ^a

CHARTERED CORPORATIONS—Continued.

NAME OF CORPORATION.	County where Registered	When Registered in Secretary State's Office.	Book.	Page.
Memphis Liquor Co.....	Shelby.....	Nov. 15, 1896	N N	133
Memphis Manufacturers' & Merchants' Association.....	Shelby.....	Nov. 28, 1896	O O	181
Memphis Military Academy.....	Shelby.....	Nov. 4, 1895	O O	115
Memphis Olympian Club.....	Shelby.....	Sept. 30, 1896	O O	173
Memphis Queensware Co.....	Shelby.....	Nov. 20, 1895	U 3	58
Memphis Scimitar Pub. Co (amendment)	Shelby.....	Dec. 3, 1895	P 2	68
Memphis Shade & Adjuster Co.....	Shelby.....	Aug. 17, 1896	U 3	105
Memphis Shirt Factory.....	Shelby.....	Mar. 24, 1896	P P P	467
Memphis Stove Manufacturing Co.....	Shelby.....	Nov. 26, 1895	J 2	78
Memphis Telephone Co.....	Shelby.....	July 20, 1895	P P P	260
Memphis Title, Guarantee & Investment Co.....	Shelby.....	Apr. 8, 1895	P P P	185
Memphis Trained Nurses Association.....	Shelby.....	Mar. 6, 1897	O O	206
Memphis Tramway Sprinkling Co.....	Shelby.....	May 9, 1895	J 2	44
Memphis Whist & Chess Club.....	Shelby.....	Mar. 24, 1896	O O	133
Memphis Wire & Fence Co.....	Shelby.....	Mar. 29, 1897	P P P	680
Merriman Printing & Publishing Co.....	Roane.....	Dec. 1, 1896	P P P	294
Metropolitan Construction Co.....	Davidson	Oct. 26, 1895	J 2	75
Middlesboro Coal Co.....	Claiborne	Oct. 10, 1895	J 2	69
Middlesboro Railroad Co.....	Claiborne	Aug. 10, 1895	S S	19
Middle Tennessee Real Estate Agency.....	Davidson	June 27, 1896	O Q	233
Milburn Bass Wagon Co.....	Hamilton	Apr. 2, 1886	J 2	129
Mission Ridge Fiber Co.....	Hamilton.....	Mar. 29, 1897	U 3	147
Mitchell & Hunt Carriage Co.....	Davidson	Jan. 27, 1896	J 2	94
Morningside Retreat Co.....	Davidson	June 18, 1896	J 2	151
Morton, Lewis & Willey Lumber Co.....	Sullivan.....	Mar. 7, 1896	P P P	462
Morristown Electric Light Co.....	Hamblen	Sept. 3, 1895	P P P	407
Morristown Telephone Co.....	Hamblen	Apr. 7, 1896	U 3	82
Moshem Butter & Cheese Factory.....	Greene	Aug. 15, 1895	P P P	275
Mountain City Burial Case Co.....	Hamilton	Feb. 12, 1896	J 2	102
Mountain City Packing Co.....	Hamilton	Oct. 3, 1896	J 2	169
Mountain City Stove & Manufacturing Co (amendment).....	Hamilton	June 24, 1896	P 2	88
Mount Holly Real Estate & Improvement Co.....	Shelby	Mar. 27, 1895	P P P	166
Mount Rest Home for Aged Women.....	Knox.....	Dec. 13, 1895	O O	118

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Nashville & Duck River Ridge Turnpike Co (amendment).....	Davidson	Mar. 10, 1896	P 2	82
Nashville City Missionary Baptist Association of the State of Tennessee.....	Davidson	Dec. 7, 1896	O O	182
Nashville Ice Manufacturing Co.....	Davidson	Dec. 4, 1895	J 2	81
Nashville Colored Relief Society.....	Davidson	Jan. 9, 1896	O O	121
Nashville Conservatory of Music.....	Davidson	Sept. 10, 1895	U 3	42
Nashville Hotel Co.....	Davidson	Sep. 25, 1896	P P P	565
Nashville Medical and Surgical Institute.....	Davidson	July 1, 1895	J 2	52
Nashville Military Institute (amendment).....	Davidson	June 12, 1896	P 2	87
Nashville Safety Apartment & Vault Co.....	Davidson	Dec. 18, 1895	Vol 1	193
Nashville Suburban R'y Co (reorganization).....	Davidson	May 22, 1896	P P P	510
Nashville Water Power & Irrigation Co.....	Davidson	May 1, 1896	J 2	141
National Afro-American Industrial Union.....	Montgomery	May 18, 1895	O O	100

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National Car Brake Co.....	Shelby.....	Jan. 27, 1897	J 2	200
National Oil Co	Putnam.....	May 6, 1896	J 2	142
National Medical Aid & Sick Benefit Ass'n	Davidson.....	Sept. 1, 1896	O.O	166
National Medical Co-operative Association of Tenn..	Shelby.....	Mar. 18, 1897	O O	207
Naylor, J. W., Co	Lincoln.....	July 10, 1896	J 2	149
Newbern Grain Co.....	Dyer.....	June 13, 1896	J 2	149
New England Land Co.	Shelby	Sept. 13, 1895	P P P	314
New Gayoso Hotel Co.....	Shelby.....	Aug. 11, 1896	U 3	104
New Memphis Gaslight Co. (amendment)	Shelby.....	Oct. 15, 1895	P 2	66
New Mountain City Club.....	Hamilton.....	Feb. 1, 1896	O O	125
Newport Cotton Mills Co. (amendment)	Cocke	Feb. 1, 1897	P 2	105
Newport Cotton Mill Co.....	Cocke	Feb. 28, 1896	J 2	115
Newport Telephone Co.....	Cocke	Mch. 23, 1896	U 3	77
New Rugby Oil Co.....	Hamilton.....	Jan. 23, 1896	J 2	93
Newsom & Co.....	Shelby.....	Sept. 11, 1895	U 3	43
Nolachucky Telephone & Electric Co.....	Washington	May 13, 1895	U 3	20
Noonan Shoe Co.....	Shelby.....	Oct. 21, 1895	U 3	210
Norcross Butter Separator M'f'g Co.....	Knox.....	Feb. 3, 1896	P P P	426
Norris Creek & Elk River Turnpike Co.....	—	Aug. 17, 1896	S S	29
Northern Loan & Trust Co.....	Knox.....	Feb. 10, 1897	Vol. 1, 189	1,189
Novelty Catering Co.....	Davidson	Oct. 8, 1896	J 2	170

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Oakdale Coal & Coke Co.....	Morgan.....	Nov. 22, 1895	P P P	386
Obed Manufacturing Co.....	Morgan.....	Sept. 5, 1896	J 2	161
Obion Milling Co.....	Obion.....	Mch. 15, 1897	J 2	215
O'Brien Grocery Co.....	Hamilton	Aug. 29, 1896	U 3	109
Ohio River, Knoxville & Tidewater Railway Co.....	Knox.....	May 1, 1895	S S	11
Ohio River, Knoxville & Tidewater Railway Co. (amendment)	Knox.....	Aug. 8, 1896	P 2	89
Oliver Springs Railroad Co.....	Anderson	Apl. 12, 1895	S S	9
Order of Coats of Mail.....	Hamilton	June 26, 1895	O O	106
Ornamental Iron & Wire Works Co.....	Shelby	Apl. 17, 1895	U 3	14
Orphan Industrial Home & School	Greene.....	Oct. 17, 1895	P P P	369
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Popular Creek & Briceville Railway Co..	Anderson	June 12, 1895	S S	14
Parnassian Literary Society.....	Roane.....	Apl. 27, 1895	P P P	197
Parrish & Mason Shoe Co.....	Davidson	Jan. 10, 1896	J 2	91
Patriotic Burial League	Davidson	Aug. 14, 1896	O O	22
Patriot Herald.....	Davidson	Mch. 2, 1896	J 2	—
Patton Mining Co.....	Marion	Mch. 13, 1896	J 2	—
Peoples' Benefit Association of Tennessee	Shelby	May 24, 1895	O O	—
Peoples' Mutual Fire Insurance Co	Shelby	Dec. 28, 1896	P P P	6
Perry Lumber Co.....	Perry	Jan. 24, 1896	Q	—
Persia Creamery Co.....	Hawkins	Sept. 3, 1895	P P P	1
Petersburg Butter & Cheese Factory.....	Lincoln	Dec. 23, 1895	J 2	—
Phoenix Fire & Marine Ins. Co. (amendm't)	Shelby	Dec. 26, 1896	P 2	—
Phoenix Oil Co.	Fentress	July 1, 1896	U 3	—

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Pioneer Electric Power Co.	Obion.....	Apl. 1, 1897	U 3	149
Poor Man's Society.....	Sumner....	Feb. 26, 1896	P P P	437
Pope Drug Co.	Williamson..	Aug. 27, 1896	J 2	159
Porters' Aid Association.....	Davidson ...	Apl. 7, 1896	O O	134
Powell's Grove Benevolent Society.....	Wilson....	Oct. 9, 1896	O O	176
Presbyterian Hospital & Sanitarium of Jackson, Tennessee.....	Madison	Feb. 13, 1897	U 3	137
Putnam County Mechanical & Agricultural Association.....	Putnam....	Aug. 2, 1895	O O	110
Putnam Land Co.	Davidson ..	Sept. 26, 1895	Q Q	229
Q				
Queen City Electric Light & Power Co.	Montgomery	Mch. 2, 1897	U 3	141
Quincy Carriage & Wagon Co.	Knox.....	Nov. 12, 1896	P P P	622
R				
Randolph Gold & Mining Co.	Hamilton ...	Dec. 16, 1896	J 2	181
Royal Gold Mining Co.	Hamilton ...	Dec. 31, 1895	J 2	81
Rhodes Walker Furniture Co.	Hamilton ...	July 17, 1896	J 2	154
Riley Outfitting Co.	Davidson ...	Jan. 27, 1897	J 2	199
Risen Sons & Daughters of Ham.	Madison ...	May 13, 1896	P P P	505
Red Cross Lodge No. 160.....	Davidson ...	Sept. 3, 1895	O O	112
Reelfoot Handle Co.	Lake.....	Mch. 15, 1897	J 2	214
Reed Saw & Belting Co.	Shelby....	Aug. 3, 1895	U 3	35
Reilly, M. H., Grocery Co.	Shelby....	Oct. 22, 1895	U 3	52
Robertson, G. H., Co.	Madison ...	Dec. 9, 1896	J 2	179
Robertson, W. R., Co.	Madison ...	Feb. 5, 1897	J 2	204
Rock City Land Co.	Davidson ...	Oct. 3, 1896	Q a	36
Rock Springs Educational Society.	Sullivan...	Apl. 8, 1897	P P P	693
Rockwood Mills Co.	McMinn ..	Apl. 1, 1895	P P P	173
Roe's Medicine Co.	Knox.....	May 18, 1895	P P P	217
Roney, Sam C., Shoe Co.	Knox ..	Dec. 25, 1896	U 3	127
Rosenthal Cigar Co.	Shelby....	Feb. 26, 1896	J 2	114
Ross-Muhan Foundry Co. (amendment) .	Hamilton ...	June 10, 1895	P 2	53
S				
Safety Envelope Manufacturing Co.	Putnam... .	Feb. 18, 1897	J 2	208
Saltillo & Decaturville Telephone Co.	Hardin....	Apr. 3, 1897	J 2	218
Sanford, Chamberlain & Alberts Co.	Knox.....	Dec. 18, 1896	J 2	182
Sante Fe & Water Valley Turnpike Co.	Maury ..	Apr. 1, 1895	S S	8
Scates Furnace Co.	Knox....	Feb. 29, 1896	P P P	443
Scotts Hills College.	Decatur....	Dec. 9, 1896	O O	183
Sharp & Horn Lumber Co.	Davidson ...	Jan. 7, 1896	J 2	89
Shelton Furniture Co.	Rutherford..	Sept. 5, 1896	J 2	162
Signal Mountain Railway Co.	Knox.....	June 29, 1896	P P P	538
Signal Publishing Co.	Crockett....	July 5, 1895	J 2	53
Smith Safety Coupler Co.	Shelby ..	Apr. 1, 1896	U 3	79
Social Benevolent Society No. 7.....	Shelby....	Oct. 26, 1896	O O	179
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Sons & Daughters of the National Grand Army of the Red Cross of America.....	Shelby	Aug. 29, 1896 O O	165	
Sons & Daughters of the Tribe of Levi.....	Shelby	Sept. 16, 1896 O O	170	
Southern Canopy Co.....	Knox	May. 4, 1896 U 3	19	
South Chattanooga Business League.....	Hamilton	Apr. 20, 1896 O O	135	
Southern Christian College.....	Davidson	Aug. 19, 1896 U 3	108	
Southern Club.....	Davidson	Mar. 31, 1896 P P	481	
Southern Coal Co.....	Shelby	Jan. 31, 1896 J 2	95	
Southern Bag & Paper Co.....	Shelby	Apr. 12, 1895 P P P	195	
Southern Development Co.....	Roane	Apr. 30, 1895 P P	300	
Southern Gold Extracting & Mining Co.....	Hamilton	June 16, 1896 J 2	150	
Southern Help Benefit Society.....	Shelby	Feb. 2, 1897 P P P	651	
Southern Land & Trust Co.....	Fentress	Apr. 10, 1896 J 2	132	
Southern Life Association (amendment).....	Obion	May 6, 1895 P 2	38	
Southern Lime Co. of Knoxville, Tenn.....	Knox	Feb. 9, 1897 J 2	206	
Southern Mutual & Benefit Association.....	Davidson	Oct. 31, 1895 U 3	54	
Southern News & Advertising Co	Davidson	Apr. 2, 1897 U 3	130	
Southern Normal College.....	Lawrence	May 11, 1896 O O	142	
Southern Paper & Woodenware Co.....	Shelby	Feb. 7, 1896 U 3	68	
Southwestern Phosphate Co (amendment).....	Hickman	May 21, 1895 P 2	45	
Southwestern Poland China Record Ass'n.....	Lauderdale	Apr. 6, 1896 P P P	490	
South Pittsburg Stove & Foundry Co.....	Marion	Mar. 16, 1897 J 2	216	
Southern Planing Mill Co.....	Knox	Apr. 26, 1895 U 3	17	
Southern Queen Mf'g Co (amendment).....	Hamilton	May 20, 1896 P 2	85	
Southern Telephone Co.....	Davidson	June 16, 1896 U 3	98	
Southern Transportation Co.....	Humphreys	Dec. 11, 1896 J 2	174	
Southern Turf Co.....	Davidson	May 1, 1896 J 2	87	
Southern Mutual Benefit Association of the United States.....	Rutherford	Dec. 30, 1895 O O	120	
Spensonian Literary Society	Roane	Apr. 4, 1896 P P P	485	
Springfield Union Tabernacle.....	Robertson	Mar. 29, 1897 O O	212	
Spruce Street Baptist Church of Nashville, Tenn.....	Davidson	Sept. 19, 1895 P P P	329	
Standard Phosphate Co. of Hickman County, Tenn.....	Hickman	Feb. 10, 1896 J 2	97	
Sterling Dynamite Co.....	Hamilton	Aug. 7, 1895 J 2	60	
Stewart, J. A., Furniture Co.....	Shelby	Apr. 9, 1897 U 3	153	
Steward's Industrial Academy.....	Trousdale	Feb. 3, 1896 O O	127	
Stivers Mills Merchandise Live Stock Co.....	Hamilton	Feb. 26, 1896 J 2	113	
St. Louis Danville & Southwestern Transportation Co	Davidson	Aug. 7, 1895 U 3	37	
Star Oil Mill Co.....	Shelby	Feb. 8, 1896 J 2	100	
Stones River Battlefield & National Park Association.....	Rutherford	Apr. 28, 1896 O O	137	
Sumner County Farmers' Mutual Fire Insurance Co	Sumner	Sept. 10, 1895 P P P	305	
Sunday School Board of the Southern Baptist Convention.....	Davidson	Mar. 27, 1897 O O	211	
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Supreme Grand Directors of the Working People's Labor & Art Association of Tennessee and the United States.....	Davidson	May. 22, 1895 O O	101	
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Sylvan Mills (amendment)	Bedford	Oct. 21, 1895	P 2	67
Sykes-Baxter Co.	Davidson	Feb. 6, 1896	Vol 1	185
T				
Taylor-Dabney Co.	Marshall	July 17, 1896	U 3	101
Tennessee Academy of Music	Davidson	June 9, 1896	J 2	148
Tennessee Automatic Lighting Co.	Davidson	Feb. 11, 1897	J 2	207
Tennessee Coal Iron & Railroad Co. (amendment)	Grundy	Dec. 28, 1895	P 2	73
Tennessee Breeders' Association	Davidson	Dec. 23, 1895	U 3	61
Tennessee Electric Light & Power Co.	Knox	Sept. 18, 1895	J 2	65
Tennessee Industrial School.	Sullivan	Dec. 9, 1895	P P P	396
Tennessee Implement Co.	Davidson	Jan. 22, 1897	U 3	132
Tennessee Jersey Cattle Club.	Davidson	Feb. 27, 1897	O O	203
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